OFFICE OF THE PRESIDENT, TOWN MUNICIPAL COUNCIL, HEGGADDEVANKOTE.

Notification dated 25th September 1956.

No. M.L.C. 76—56-57. It is hereby notified for the information of the inhabitants of Heggaddevankote Town that under Section 61 of Town Municipal Act of 1951, that the Municipal Council, Heggaddevankote, have resolved in their resolution No. 32 (1 to 14) that the following Rules and Bye-laws framed by Government have to be adopted as this Municipality in supersession of all other rules. Any person objecting to the proposed Rules and Bye-laws may send his objection in writing to the Municipal Council within one month from the date of this notification after which date no objection will be entertained.

(1) Rules for the levy of duty on transfer of immovable properties.
(2) Proffession tax.
(3) Numbering and registration of vehicles.
(4) Hotel Bye-laws and Rules.
(5) Rules for the levy of Bus-stand fees.
(6) Rules and Bye-laws for the levy and recovery of rates on buildings and lands.
(7) Rules for the regulating the use of slaughter houses.
(8) Rules for levy and collection of taxes on shops and other places.
(9) For the levy of toll on vehicles.
(10) Registration of Births and Deaths.
(11) Constitution and conduct of business in committee.
(12) Octroi Rules and Bye-laws.
(13) Function of the President and establishment.

H. B. LINGANNAIAH,
1468 *President.*

The Model Bye-laws and Rules framed by the Government in respect of Town Municipalities.

Heggaddevankote Town Municipality.

RULES I.

1. The transfer duty imposed under sub-clause (xiii) of clause (b) of Section 61 and Section 65 of the Mysore Town Municipalities Act, 1951, on instruments of sale, gift and mortgage of immoveable property situated within the limits of any Town Municipality where the levy of surcharge has been sanctioned by Government, executed after the introduction of the above duty, shall be paid and recovered in the same manner and under the same procedure as the ordinary duty imposed on such instruments by the Mysore Stamp Act, 1900.

2. (i) Whenever any instrument referred to in Rule 1 is presented before the Registering Officer, he shall see whether the particulars referred to in Section 27 of the Mysore Stamp Act, 1900 are set forth separately in the instrument in respect of the property situated within the limits of the said Municipality as required by Section 65 of the Mysore Town Municipalities Act, 1951.

(ii) If the said particulars be not so separately set forth in any such instrument, the said officer must impound it and forward it to the nearest officer exercising powers of a Deputy Commissioner under Section 40 of the Mysore Stamp Act, 1900, calling his attention to Section 64 of the Mysore Stamp Act, 1900, as extended by Section 65 of the Mysore Town Municipalities Act, 1951.

3. (i) Every Registering Officer who registers any instrument referred to in Rule 1 shall keep an account of the duty paid in respect of each such instrument, showing separately the duty imposed by the Mysore Stamp Act, 1900, and the transfer duty imposed by the Mysore Town Municipalities Act, 1951. If the Registering Officer has jurisdiction over more than one Municipality. Separate accounts shall be maintained for each Municipality. In these accounts, the duty recovered by other Registering Officers in respect of properties situated in the respective Town Municipalities, shall also be included.

(ii) The said accounts shall be consolidated quarterly under the orders of the Inspector-General of Registration and each quarterly consolidated account shall be sent by him to the Accountant-General, Mysore, Bangalore, within two months after the close of the quarter.

4. If, in any case, it be impossible to recover the full duty payable on any instrument referred to in Rule 1, then only such portion of the duty realised on such instrument as is in excess of duty imposed by the Mysore Stamp Act, 1900, shall be treated in the said accounts as duty imposed by Section 65 of the Mysore Town Municipalities Act, 1951.

5. The Accountant-General, Mysore, Bangalore, shall within three months after the close of each quarter, arrange to pay the President of the Municipal Council concerned so much of duty shown in the said consolidated accounts as represents the transfer duty imposed by Section 65 of the Mysore Town Municipalities Act, 1951.

6. A commission of one per cent shall be paid to the State Government for the collection of transfer duty and the same shall be deducted before payment of the amount due under these rules to the Municipal Council concerned.

RULES II.

1. Every person who, within the Municipal limits, exercises a profession, art or calling or hold an office or appointment—public or private—or is employed in or engages himself in any capacity in or exercises any profession or trade or calling, and every person falling under any of the denominations shown in Schedule I appended to these Rules shall pay the tax at the rate specified in the said schedule as payable by persons of the class in which such person will be placed.

2. The tax shall be payable in advance in two equal half-yearly instalments in April and October every year (or in one lumpsum if the assessee so desires).

3. No person shall be liable to be taxed under these Rules in respect of any half-year in which he has exercised a profession, art, trade or calling or held an office or an appointment for a period of less than sixty days in the aggregate within the Town.

4. When a person exercises more than one profession or art or engages in more than one trade or calling whether under the same name or under different names, or holds more than one office or appointment, the tax shall be calculated on his aggregate income from all such sources.

5. On or before 1st April and 1st October every year, an assessment list in the form specified in Schedule II shall be prepared. The list will be subject to revision half-yearly or yearly as may be decided by the Municipal Council.

6. Any person who has paid the tax for the whole half-year or year and who ceases during such period to be liable to assessment, shall be entitled to a refund of not less than half the assessment.

Provided that no such remission shall be granted unless notice in writing of the fact of his giving up the profession, art, trade, or calling or office or appointment has been given to the President, Municipal Council and no remission or refund shall take effect for any period previous to the day of the delivery of such notice.

SCHEDULE I.

(*See* Rule 1).

Rates of tax on arts, professions, trades and callings.

Class I.

Every person holding any office or appointment public or private or employed in any capacity, whose pay, salary or pension amounts to one thousand rupees a month or upwards and every person falling under any of the following denominations whose income is estimated to amount to one thousand rupees a month or upwards :—

Yearly Rs. 50.

(*i*) Carrying on business as a company ;
(*ii*) Abkari renters, wholesale and retail traders and manufactures of every kind, contractors, auctioners and commission agents ;
(*iii*) Bankers, money-lenders, money changers and pawn brokers ;
(*iv*) Editors and proprietors of newspapers ;
(*v*) Brokers and dealers in securities, shares or bills of exchange ;

(*vi*) Practising Barristers, Advocates, High Court Vakils, Solicitors, Attorneys, Pleaders and Law Agents ;

(*vii*) Practising Medical Practitioners of all kinds including Hakims and Vaidyas ;

(*viii*) Dentists and Veterinary Surgeons ;

(*ix*) Owners and farmers of markets and toll farmers ;

(*x*) Architects and Civil Engineers ;

(*xi*) Keepers of hotels, lodging houses or boarding houses ;

(*xii*) Builders and Surveyors ;

(*xiii*) Owners of mills, warehouses, printing presses, oil presses, cotton presses and other presses, and factories of all kinds ;

(*xiv*) Professional artists, photographers, actors, owners, or managers of circuses or theatrical companies, musicians and dancers ;

(*xv*) Dealers in animals or vehicles and owners or keepers of livery stables or hackney carriages ;

(*xvi*) Artizans.

Class II.

Evrey person described in Class I above whose pay or salary or pension amounts, or whose income is estimated to amount to five hundred rupees a month or upwards Rs. 25.

Class III.

Every person described in Class I whose pay, salary or pension amounts, or whose income is estimated to amount to three hundred rupees a month or upwards Rs. 12.

Class IV.

Every person described in Class I, whose pay or salary amounts or whose income is estimated to amount to two hundred rupees a month or upwards Rs. 8.

Class V.

Every person described in Class I, whose pay or salary amounts or whose income is estimated to amount to one hundred rupees a month or upwards Rs. 4.

Class VI.

Every person described in Class I, whose pay or salary amounts or whose income is estimated to amount to fifty rupees a month or upwards Rs. 2.

Class VII.

Every person described in Class I, whose pay or salary amounts or whose income is estimated to amount to thirty rupees a month or upwards, Re. 1.

Note.—The foregoing classification is subject to the following provisos, namely :—

Proviso 1.—No owner of a cotton press shall be placed in any class below class II.

Proviso 2.—No wholesale trader, Banker, Barrister, Advocate, High Court Vakil, Solicitor, Attorney, Architect, Civil Engineer, Millowner or Factory owner shall be placed in any class below class III.

Proviso 3.—No abkari renter (other than a mere liquor, shop-keeper editor or proprietor of a newspaper, broker or other dealer in securities, shares or bills and exchange and no pleader, medical practitioner (other than a hakim or vaidya, dentist or veterinary surgeon) shall be placed in any class below Class IV.

Proviso 4.—No boatowner, auctioner, money lender, owner or farmer of a market, toll farmers, keeper of a hotel lodging house or boarding house and no builder surveyor or owner of a warehouse or press (other than a cotton press or oil press) shall be placed in any class below V.

195

SCHEDULE II.

Profession Tax Assessment.

(Rule 5).

..... Town Municipality.

Division No. .....

Number	Name of party	Assessment in previous year		Occupation address	Monthly or annual income or other basis of assessment	Proposed assesement		
		Number	Amount Rs.			Class	Amount Rs.	Number

Bye-Laws relating to Profession Tax.

1. On the written requisition of the Municipal President or of such person or persons as may be authorised by him from time to time in this behalf :—

(i) Every person engaged in or exercising any profession, art, trade or calling or holding any office or appointment within the limits of the Town Municipality shall, within fifteen days after the receipt of such requisition, furnish a statement under his signature in writing in the form appended to these bye-laws showing his income for the required year or years.

(ii) Every occupier of any building or land within the Town Municipal limits shall furnish, within a week of the requisition, a list in writing containing the names of all persons occupying such building or land and specifying the profession, art, trade or calling, office or appointment of every such person.

2. Every employer or the head or Secretary or Manager of any public or private office or of a firm, or company or association shall, within the 15th of April and 15th of October every year furnish.

(*a*) A list in writing of the names of all persons employed by such employer or by such office, firm, company or association with a statement of the salary or income of each of such employed persons and ;

(*b*) The particulars in regard to any company or which such employer, head, secretary or manager, as the case may be, is the agent.

3. Notwithstanding anything contained in these bye-laws, every person commencing to exercise any profession, art, trade or calling or to hold any office or appointment in the Town Municipal limits who has not been required to furnish a return under the Bye-law shall, within fifteen days of so commencing, give information of the fact to the President or other persons authorised by him in this behalf.

4. Every person who is liable to the tax and who shall change either the designation of the firm or the nature of his profession, art, trade or calling or office or appointment or his place of business, shall within fifteen days of such change, give intimation thereof to the President or other persons authorised by him in this behalf.

5. Any infringement of these bye-laws by any person shall be punishable with fine which may extend to Rupees fifty.

Form of Return.

True Return furnished by.....

Under the bye-laws framed by the.....Town Municipal Council under section 48 (1) (i) of the Mysore Town Municipalities Act, (Mysore Act XXII of 1951) as to the liability to tax on profession, art, trade or calling and on offices and appointments for the year ended.....

Name and address of the party	Nature of profession art, trade or calling followed or office or appointment held	Date from which profession, etc., is followed	Monthly income		Remarks
			Included in the last year	During the current year	

Name of the Town Signature of the Party

Bye-laws for the Numbering and Registration of Vehicles in Town Municipalities.

1. Any person who is the owner of a carriage, bicycle or tricycle liable to taxation in the unicipality shall register such carriage, bicycle or tricycle at the Municipal Office within thirty days of these bye-laws coming into force or within thirty days of his newly coming into possession of such carriage, bicycle or tricycle. He shall also, when he continues to be in possession of such carriage, bicyle or tricycle renew the registration at the said office either for the half year within thirty days from 1st April or thirty-one days from 1st of October or for a year within thirty days from 1st April each year.

Explanation No. 1.—'Owner' in these bye-laws includes the person in charge of possession for the time being of the carriage, bicycle or tricycle.

Explanation No. 2.—'Carriage' means any wheeled vehicle drawn by a horse, bullock or other animals or pushed or pulled by a man, but does not include tricycle constructed for use by children below the age of twelve years and perambulators.

2. The above registration shall be made on payment of the yearly or half-yearly tax on such carriage, bicycle or tricycle as prescribed under the rules in force in the Municipality.

3. A disc bearing the register number shall be issued free of cost, to each carriage, bicycle or tricycle thus registered. In the event of the disc being lost, a duplicate will be issued on payment of a fee of annas eight. In the case of carriage the numbers will be painted prominently thereon.

4. No carriage, bicycle or tricycle thus registered shall be used without its number disc being conspicuously attached it or the number being prominently Painted thereon.

5. Any person who contravence any of the foregoing bye-laws shall, on conviction before a Magistrate, be punishable with a fine which may extend to Rupees fifty.

BYE-LAWS.

1. In these bye-laws, unless there is anything repugnant in the subject or extent:—

(*a*) 'Hotel' means any eating house or place where cooked rice, mutton, beef, poultry, vegetables, dhall and confectionery or refreshments including chapathies, rice cakes, tea, coffee or similar articles of food or drink are prepared and sold for price to boarders travellors or other persons;

(*b*) 'restaurant' or 'tea shop' or 'coffee house' means any building or part of a building where milk, coffee, tea, cocoa and other drinks or prepared articles of food are kept for sale and includes a 'Milk-Bar'.

(*c*) 'Bakery' or 'sweetmeat shop' means any building or part of a building where bread, biscuits, cakes, confectionery and sweets or any other kind of eatables are locally manufactured or kept for sale but does not include a place of business where packed or tinned sweets, biscuits or similar articles are kept and sold;

(*d*) 'boarding or lodging house' means any place where visitors are received and provided with accommodation with or without food, on payment;

(*e*) 'Ice or ærated water factory' means any place where ice or ærated waters, sharbaths or any other cool drinks are either manufactured or are sold;

(*f*) 'Licensee' means the proprietor or any person in charge of any of the kinds of business specified in clause (a), (b), (c,, (d) or (e).

2. No place shall b; used as a hotel, restaurant, eating house, boarding or lodging house, coffee house, sweetmeat shop or bakery of for manufacturing ice or ærated waters without previously obtaining a license therefor from the President of the Municipality on payment of the fee prescribed in this behalf.

3. (*a*) Any person using or desiring to use any place for any of the above purposes, shall apply to the President for a license. The President may grant or refuse such license. When the President refuses to grant the license, he shall, order in writing, give reasons therefor and an appeal shall lie to the Municipal Council from such order of refusal.

(*b*) No license shall be granted for a period exceeding one year and every license shall be granted so as to expire with an official year: provided that a temporary license for a period not exceeding a fortnight may be granted for any special occasion and such license shall expire with the period for which it is granted.

4. (*a*) Except in the case of an application for a temporary license under the proviso to Bye-law No. 3 (b), every application for a license under these bye-laws shall be made not less than fifteen days before the date from which the license applied for is to commence.

(*b*) Every such application shall be in the form specified in Schedule 'A' to these bye-laws.

5. (*a*) The license granted under Bye-law No. 3 shall not be transferable either as regards the person to whom or the place for which it is granted.

(*b*) It shall be in the form specified in Schedule 'B'.

(*c*) The license shall be affixed in a conspicuous part of the place to which it pertains, along with the correct name and residential address of the licensee.

6. The President may suspend or withdraw any license granted under Bye-law No. 3 in respect of any place on grounds of public health or safety or where any of the conditions specified in the license is contravened, provided that such suspension or withdrawal of the license shall not be deemed to exempt the licensee or any other person from liability to a prosecution under these bye-laws and provided further that such suspension or withdrawal shall be made only after an opportunity is given to the licensee to show cause, against such suspension or revocation.

7. Any person committing an infringement of these bye-laws or of any of the conditions attached to a license granted under these bye-laws shall, on conviction, be liable to a fine not exceeding Rs. 50.

8. Every licensee shall be responsible for all acts done by his agents or servants in connection with the business for which the license has been obtained.

9. Every license granted under Bye-law No. 3 shall be subject to the general conditions specified in Bye-law No. 10 and the special conditions specified in Bye-law Nos. 11 to 14 in so far as they are applicable having regard to the particular purpose for which the license is granted. No license shall be granted in respect of any place which, in the opinion of the President, does not satisfy such conditions or any of them.

GENERAL CONDITIONS.

10. Every license under Bye-law No. 3 shall be granted on, and subject to the following general conditions:—

(*a*) The premises in respect of which the license is granted shall be sufficiently spacious and suitable for the purpose of business intended to be carried on therein and the dimensions of every room therein shall be at least 8 feet by 8 feet by 8 feet.

(*b*) Each room abutting an open space should have windows of a dimension of 4 feet by 3 feet to secure adequate ventilation and lighting.

(*c*) Suitable smoke outlets in the form of chimneys shall be provided and maintained in good order so that the smoke may not pervade the dwelling rooms, the dining hall or the portion of the premises where customers are served with food or drink.

(*d*) No cess pools should be permitted on the premises; if sewers exist, they should be properly trapped; if daily conservable latrines are provided, they should be located with an intervening open space of at least 15 feet from the living room or rooms intended for cooking, eating or for storage.

(*e*) The premises shall have water connection from the public main, where there is a protected system of water supply and such connection and all fittings thereof shall be kept in proper order and efficient action so as to provide for use on the premises, sufficient supply of water for the purpose of business and for thoroughly washing and cleaning such premises. Only water from this source shall be used for all purposes connected with the business. If water has to be stored it shall be stored only in a metallic tank fitted with tap and covered at the top with a tight fitting metallic lid and placed four feet above the ground level. In all other cases where the supply of water is drawn from a well. a certificate should be obtained as regards the purity of the said water once a quarter or oftener, if necessary, from the District Health Officer.

(*f*) The walls of the premises shall be rendered impervious to water by cement plastering or otherwise up to a height of four feet from the ground level, and the rest of the said walls shall be plastered with chunam and whitewashed half-yearly or as often as required, by the President, provided that in the case of a place used for a bakery, sweetmeat shop or for the manu acture of ice or ærated waters, the walls shall be rendered impervious to water by means of cement plastering or otherwise up to a height of 8 feet from the ground level. The floor shall be either cemented or paved with cuddapah slabs with cement pointing, and sufficient drainage shall be provided. The roofing shall be plain and ratproof.

(*g*) The place shall not at any time be used for stabling amimals.

(*h*) (i) The licensee shall always keep the premises in a perfectly clean and tidy condition.

(ii) All refuse or rubbish shall be swept off, and the drains kept well flushed. A sufficient number of metallic dust bins with lids at the top shall be kept on the premises and they shall be cleaned at least once a day and oftener if necessary.

(iii) The premises shall be thoroughly washed twice a day and oftener if necessary; privies, latrines and urinals shall be disinfected daily.

(iv) All waste water shall be thoroughly drained from the premises.

(*i*) (i) All the articles of furniture, plates, utensils and accessories pertaining to or used for the purpose of the business for which license is granted shall always be kept perfectly clean.

(ii) Plates, cups, saucers, spoons, forks and all other utensils or accessories used for service shall be thoroughly washed in clean water and sterilised by being immersed in boiling water or in steam for not less than five minutes before being sent out for service again.

(*j*) Every table, bench or board on which refreshments are served shall be provided with a top, made of marble, polished stone slab or other non-absorbent material and the top shall be thoroughly cleansed after each service with a clean cloth and if necessary, with water.

(*k*) All provisions or materials used for the purpose of the business shall be good and wholesome and adulterated provisions or materials shall not be used. Provisions not required for immediate metalic receptacle suitably protected against chemical action which shall be kept on stone benches fixed 1½ feet away from the walls and shall not be allowed to lie open on the floor.

(*l*) The licensee shall allow only servants who are dressed in clean clothes to attened on the customers.

(*m*) No foodstuff of any sort which is stale, unwholesome offensive or in any way unfit for human consumption in the opinion of the Health Inspector shall be stored, served, sold or exposed for sale in the premises.

(*n*) (i) Dried fruit, cut slices of fruits; cooked food and all other articles of food or drink kept ready for human consumption in the premises shall be stored or exposed for sale in such a manner as completely to protect them from dust, effluvia, flies or other vermin.

(ii) Such articles when exposed for sale shall be kept in clean vessels or plates made of glass or metal covered with enamel or tin lining placed in glass cases provided, if necessary, with a fly proof wire gauze at the top for ventilation.

(iii) No such articles shall be touched by hand and clean spoons or other accessories shall be used for serving them.

(*o*) All papers or leaves used for wrapping articles of food shall be clean and stored in a clean rack or box.

(*p*) No person who is suffering from any contagious, infectious or loathsome disease or who has recently been in attendance on a person suffering from such disease or who is unwashed or otherwise unclean shall be employed by the licensee for the purpose of the business nor shall any such person be allowed to enter or loiter in or any part of the premises.

(*q*) (i) No person shall be employed in or in connection with any business carried on in any place licensed under Bye-law No. 3 (for which a licence under Bye-law No. 2 is necessary) unless he produces at the time of his first employment therein a certificate from the District Health Officer or any Medical or Health Officer not below the rank of an Assistant Surgeon showing that he is free from any contagious, infectious or loathsome disease, *viz.*, Typhoid, Para-typhoid A or B, Cholera or Dysentery. After every serious illness, he must produce a certificate that he is not infectious.

(ii) Every person employed in or in connection with such business shall produce a similar certificate at the beginning or every official year on or before the 15th April.

(iii) Every such employee shall subject himself to a medical examination whenever directed to do so in writing by the District Health Officer.

(iv) No person who has failed to comply with any of the above requirements shall be employed or continue to be employed in or in connection with the business.

(*r*) The licensee shall forthwith report to the District Health Officer or Health Inspector any case of dangerous infectious or contagious disease occurring on the premises.

(*s*) The licensee shall keep in the premises a book which shall be open to inspection by the President, the Executive Officer. if any the District Health Officer, or any other Officer of the Municipality specially authorised in writing by the President to inspect the premises.

(*t*) (i) It shall be competent for the President, Executive Officer, if any, the District Health Officer, any Health Inspector or other Officer authorised in writing in this behalf by the President to enter into any place used for any of the purpose specified in the Bye-law No. 1 between 6 A.M. and 6 P.M. or at any other time while such place is kept open for business, to inspect the premises provisions, articles of food or drink, all utensils and furniture on the premises and to take samples of any provisions, any articles of food or drink manufactured or kept for sale therein. Samples so seized may be subjected to chemical or other examination.

(ii) It shall be competent to the President, the Executive Officer, if any, the District Health Officer or the Health Inspector to remove or cause to be removed forthwith from such place any article of food or drink which, in his opinion is stale, unwholesome, offensive or unfit for human consumption, besides prosecuting the licensee for violating the bye-laws.

(iii) Whenever the President or the Executive Officer, if any or the Health Officer is satisfied on personal inspection or on any report of inspection, he may, instead of recommending the prosecution of the licensee, issue to him in writing such directions as he may deem necessary for securing proper compliance with these bye-laws or in the interests of public health and the licensee shall forthwith comply with such directions.

SPECIAL CONDITIONS.

Place used as Bakery or Sweetmeat Shop.

11. A place used as a bakery or sweetmeat shop shall satisfy the following special conditions in addition to the general conditions specified in the bye-law No. 10.

(*a*) The premises shall contain separate accommodation for kneading, store and vending.

(*b*) The walls of the kneading room shall be plastered with cement to a height of 8 feet from the ground level. The ceiling of the kneading room shall be plain and free from crevices.

(*c*) The surface of every kneading table in the bakery shall be impervious to water, smooth and free from cracks or crevices and shall be kept covered with a clean cloth, when not in use. The pedestals of the kneading table shall be of concrete blocks plastered with cement.

(*d*) Every person engaged in kneading shall wear a clean white apron of linen or cotton so as to cover completely the front part of his body from back to knees.

(*e*) No person shall soil the kneading table in any way.

(*f*) No person shall transport for sale, bread or sweetmeat from one place to another except in a closed vehicle or in a closed basket, tin or other receptacle. Every such vehicle, basket, tin or receptacle shall at all times be kept thoroughly clean and no person shall commit any act which may tend to render any bread or sweetmeat which is being transported, dirty or unwholesome.

Hotels, Restaurants, Eating Houses, Boarding Houses, Tea and Coffee Houses.

12. A place used as a hotel, restaurant, eating house and coffee house shall satisfy the following special conditions in addition to those specified in bye-law No. 10 :—

(*a*) No one shall be allowed to dine in any place other than the dining hall, provided that it shall be permissible for a boarder to dine in his own room.

(*b*) There shall be sufficient latrine accommodation; every latrine, privy or urinal on the premises shall be kept clean and thoroughly disinfected datily and the nightsoil shall always be covered with ashes or earth and removed daily. Where facilities are available, flush latrines should as a rule, be provided.

(*c*) Whenever arrangements are made on the premises for broadcasting or for the playing of gramophones with or without pick-up and loudspeaker arrangement, care shall be taken to prevent an unreasonable amount of noise being caused in the neighbourhood so as to occasion annoyance or discomfort to the owners of occupiers of houses in the vicinity.

Place used for the Manufacture of Ice.

13. A place used for manufacturing ice shall satisfy the following conditions in addition to those specified in bye-law No. 10 :—

The water used for manufacturing ice shall be pure and shall not be carried in massacks or in any other vessels not approved by the President, the Executive Officer, if any or the District Health Officer.

Place used for the Manufacture of Aerated Waters.

14. A place used for the manufacture of aerated waters shall satisfy the following conditions in addition to those specified in bye-law No. 10 :—

(*a*) The premises shall contain sufficient and separate accommodation for each of the following, *viz.*, for the cleaning of bottles and for store-room.

(*b*) The water used for the manufacture of aerated water shall be pure and shall not be carried in massacks or in any other vessels not approved by the President or the District Health Officer.

(*c*) The water used for the manufacture of aerated water shall be filtered and the filtering vessels and materials shall be sterilised at such time and in such manner as the President or the District Health Officer, may direct.

(*d*) Syrups shall be prepared only in glass or enamelled vessels and kept in a fly proof case.

(*e*) No aerated water of any kind shall be issued from the manufactory without having a proper label and mouth piece on each bottle giving the full name and address of the manufacturer. The mouth of each bottle shall be completely covered with a similar label so as to be dust proof.

SCHEDULE 'A'.

Form of Application for Licence.

1. Full name and address of applicant. .....
2. Father's name ... .
3. Age ... .
4. Purpose for which licence is required .....
5. The place in respect of which the licence is required.
   1. Division and ... .
   2. Street ... .
   3. Door No. ... .
   4. Other particulars such as boundaries necessary for identifying the place .....
6. The name and address of owner of such place. .....
7. The rent of the place or the estimated rental value where the applicant is the owner of the premises. .....
8. Period for which licence is required .....

I declare that the information given above is true to the best of my knowledge and belief.

Applicant.

SCHEDULE 'B'

Form of licence issued under the bye-laws of the Town Municipality framed under Section 48 (1) (*b*) (iv) of the Mysore Town Municipalities Act, 1951.

This licence is granted to Sri.....(name and address) for the use of.....(insert description of the place) as a bakery, sweetmeat shop, hotel, restaurant, eating house, boarding or lodging house, coffee house, for manufacturing ice or aerated waters (retain the words indicating the purpose for which the licence is granted and strike off the remaining words).

This licence will expire on the 31st of March 19 .

It is subject to the conditions set forth hereunder and the bye-laws and rules of the Municipality made under the Mysore Town Municipalities Act, 1951.

CONDITIONS.

1. (*a*) The premises in respect of which the licence is granted shall be sufficiently spacious and suitable for the purpose of the business intended to be carried on therein and the dimensions of every room therein shall be at least 8 feet by 8 feet by 8 feet.

(*b*) Each room abutting on an open space should have windows of dimensions of 4 feet by 3 feet to secure adequate ventilation and lighting.

(*c*) Suitable smoke outlets in the form of chimneys shall be provided and maintained in good order so that the smoke may not pervade the dwelling rooms, the dining hall or the portion of the premises where customers are served with food or drink.

(*d*) No cess pools should be permitted on the premises; if sewers exist, they should be properly trapped; if daily conservable latrines are provided, they should be located with an intervening open space of at least fifteen feet from the living room, or rooms intended for cooking, eating, and storage.

(*e*) The premises shall have water connection from the public main and such connection and all fittings thereof shall be kept in proper order and efficient action so as to provide for use on the premises sufficient supply of water for the purpose of the business and for thoroughly washing and cleaning such premises. Only water from this source shall be used for all purposes connected with the business. If water has to be stored, it shall be stored only in a metallic tank fitted with a tap and covered at the top with a tight fitting metallic lid and placed 4 feet above the ground level. In case there is a well, it should conform to sanitary principles and its mouth should be covered and

(f) The walls of the premises shall be rendered impervious to water by cement plastering or otherwise up to a height of four feet from the ground level, and the rest of the said walls shall be plastered with chunam and whitewashed half-yearly or as often as required by the President, provided that in case of a place used as a bakery, sweetmeat shop or for the manufacture of ice or aerated water, the walls shall be rendered impervious to water by means of cement plastering or otherwise up to a height of 8 feet from the ground level. The floor shall be either cemented or paved with Cuddapah slabs with cement pointing and sufficient drainage shall be provided. The roofing shall be plain and rat proof.

(g) The place shall not at any time be used for stabling animals.

(h) (i) The licensee shall always keep the premises in a perfectly clean and tidy condition.

(ii) All rubbish shall be swept off and the drains well flushed. A sufficient number of metallic dust bins with a lid at the top shall be kept on the premises and they shall be cleaned at least once a day and oftener if necessary.

(iii) The premises shall be thoroughly washed twice a day and oftener, if necessary. Privies, latrines and urinals shall be disinfected daily.

(iv) All waste water shall be thoroughly drained from the premises.

(i) (1) All articles of furniture, plates, utensils and accessories pertaining to or used for the purpose of the business for which licence is granted shall always be kept perfectly clean.

(2) Plates, cups, saucers, spoons, forks and all other utensils or accessories used for service shall be thoroughly washed in clean water and sterilised by being immersed in boiling water or in steam for not less than five minutes before being sent out for service again.

(j) Every table, bench or board on which refreshments are served shall be provided with a top made of marble, polished stone slab or other non-absorbent material and the top shall be thoroughly cleaned after each service with a cleam cloth and if necessary, with water.

(k) All provisions of materials used for the purpose of the business shall be good and wholesome and adulterated provisions or materials shall not be used. Provisions not required for immediate use shall be stored in closed bins made of galvanised iron or other metallic receptacle suitably protected against chemical action which shall be kept on stone benches, fixed 1½ feet away from the walls and shall not be allowed to lie open on the floor.

(l) The licensee shall allow only servants who are dressed with clean clothes to attend on the customers.

(m) No food stuff of any sort which is stale, unwholesome, offensive or in any way unfit for human consumption in the opinion of the District Health Officer, shall be stored, served, sold or exposed for sale in the premises.

(n) (i) Dried fruit, cut slices of fruit, cooked food and all other articles of food or drink kept ready for human consumption in the premises shall be stored or exposed for sale in such a manner as completely to protect them from dust, effluvia, flies or other vermin.

(ii) Such articles when exposed for sale shall be kept in clean vessels or plates made of glass or metal covered with enamel or tin lining placed in glass cases, provided if necessary with a fly proof wire gauze at the top for ventilation.

(iii) No such articles shall be touched by hand and clean spoons or other accessories shall be used for serving them.

(o) All papers or leaves used for wrapping articles of food shall be clean and stored in a clean rack or box.

(p) No person who is suffering from any contagious, infectious or loathsome disease or who is unwashed or otherwise unclean shall be employed by the licensee for the purpose of the business nor shall any such person be allowed to enter or loiter on any part of the premises.

(q) (i) No person shall be employed in or in connection with any business carried on in any place licensed under bye-law No. 2 or for which a license under bye-law No. 1 is necessary unless he produces at the time of his first employment therein a certificate from the District Health Officer, or any Medical or Health Officer not below the rank of an Assistant Surgeon showing that he is free from any contagious, infectious or loathsome disease. He should not be carrier of intestinal diseases, *viz.*, typhoid, para-typhoid A or B, cholera or dysentery. After every serious illness, he must produce a certificate that he is not infectious.

(ii) Every person employed in or in connection with such business shall produce a similar certificate at the beginning of every official year on or before the 15th April.

(iii) Every such employer shall subject himself to a medical examination whenever directed to do so in writing by the District Health Officer.

(iv) No person who has failed to comply with any of the above requirements shall be employed or continue to be employed in or in connection with the business.

(r) The licensee shall forthwith report to the District Health Officer any case of dangerous, infectious or contagious disease occurring on the premises.

(s) The licensee shall keep in the premises a book which shall be open to inspection by the President, the Executive Officer, if any, the Health Officer or any other Officer of the Municipality authorised in writing to inspect the premises.

(t) (i) It shall be competent for the President, the Executive Officer, if any or the District Health Officer, or Health Inspector or other Officer of the Municipality authorised in writing in this behalf by the President to enter into any place for any of the purposes specified in bye-law No. 1 between 6 A.M. and 6 P.M. or at any other time while such place is kept open for business, to inspect the premises, provisions, articles of food or drink, all utensils and furniture on the premises and to take samples of any provision any articles of food or drink manufactured or kept for sale therein. Samples so seized may be subjected to chemical or other examination.

(ii) It shall be competent to the President, Executive Officer, if any, the District Health Officer or Health Inspector to remove or caused to be removed forthwith from such place any article of food drink, which is in their opinion stale, unwholesome, offensive or unfit for human consumption, besides prosecuting the licensee for violating the bye-laws.

(iii) Whenever the President or the District Health Officer is satisfied on personal inspection or on a report of inspection he may, instead of recommending the prosecution of the licensee, issue to him in writing such directions as he may deem necessary for securing proper compliance with these bye-laws or in the interests of Public. Health and the licensee shall forthwith comply with such directions.

SPECIAL CONDITIONS.

2. *Place used as bakery or sweetmeat shop—*

A place used as a bakery or sweetmeat shop shall satisfy the following special conditions, in addition to the general conditions specified in bye-law No. 10 :—

(a) The premises shall contain separate accommodation for kneading, store and vending.

(b) The walls of the kneading room shall be plastered with cement to a height of 8 feet from the ground level. The ceiling of the kneading room shall be plain and free from crevices.

(c) The surface of every kneading table used in the bakery shall be impervious to water, be smooth and free from cracks or crevices and shall be kept covered with a clean cloth when not in use. The pedestals of the kneading table shall be of concrete blocks plastered with cement.

(d) Every person engaged in kneading shall wear a clean white apron of linen or cotton so as to cover completely the front part of his body from neck to knees.

(e) No person shall soli the kneading table in any way.

(f) No person shall transport for sale, bread or sweetmeat from one place to another except in a closed vehicle or in a closed basket, tin or receptacle which shall at all times be kept thoroughly clean and no person shall commit any act which may tend to render any bread or sweetmeat which is being transported dirty or unwholesome.

3. Hotels, Restaurants, Eating Houses, Boarding Houses, Tea and Coffee Houses.

A place used as a hotel, restaurant, eating house or coffee house shall satisfy the following special conditions in addition to those specified in bye-law No. 10 :—

(*a*) No one shall be allowed to dine in any place other than the dining hall, provided that it shall be permissible for a boarder to dine in his own room.

(*b*) There shall be sufficient latrine accommodation. Every latrine, privy or urinal on the premises shall be kept clean and thoroughly disinfected daily and the nightsoil shall always be covered with ashes or earth and removed daily. Where facilities are available, flush latrines should, as a rule be provided.

(*c*) Whenever arrangements are made on the premises for broadcasting or for the playing of gramophones with or without pick-up and loud speaker arrangements, care shall be taken to prevent an unreasonable amount of noise being caused in the neighbourhood so as to occasion annoyance or discomfort to the owners or occupiers of houses in the vicinity.

4. Place used for the Manufacture of Ice.

A place used for manufacturing ice shall satisfy the following condition in addition to those specified in bye-law No. 10 :—

The water used for manufacturing the ice shall be pure and shall not be carried in massacks or in any other vessels not approved by the President or the District Health Officer.

5. Place used for the manufature of aerated waters.

A place used for manufacturing aerated waters shall satisfy the following conditions in addition to those specified in bye-laws Nos. 10 and 14 above.

In the said Model Bye-laws:—

1. In Bye-law No. 1, after Clause (*f*), the following Clause shall be added namely :—

"(*g*) 'Licensing Authority' means the Executive Officer for the Municipality, and where there is no Executive Officer for the Municipality, the President of the Municipal Council".

2. In Bye-laws Nos. 2, 3, 6 and 9, for the word "President wherever it occures, the words "Licensing Authority" shall be substituted.

Rules under Section 46 (1) (h) of the Mysore Town Municipality Act, 1951.

1. For every license granted under the bye-laws of a Town Municipality for the use of any place as a hotel, restaurant, eating house, coffee house, or sweetmeat shop, bakery, boarding house or lodging house or for the manufacture of ice or aerated water, fees shall be charged at the rates specified in the schedule to these rules, provided that the Municipal President shall have the power to remit the license fee wholly or partially in the case of a license granted for a special occasion and for a period not exceeding a fortnight.

2. The full license fee shall be paid in advance before the issue of the license; provided that every application for a license shall be accompanied by the fee which according to the applicant is chargeable in respect of the license applied for.

3. (i) In case of any doubt regarding the fee chargeable in respect of any license, the President shall determine the fee after such inquiry and investigation as he may deem necessary.

(ii) The applicant for the license shall furnish the President all such information as he may, by means of a written notice, require for the purpose of the aforesaid inquiry and shall produce all such documents in his possession or power as the President may require for such inquiry.

4. If the license is refused, the fee paid by the applicant for the license shall be refunded, provided a claim for refund is referred within three months from the date of service of an endorsement refusing the grant of license.

SCHEDULE.

Fees chargeable in respect of every license for the use of a place in the Town Municipality as hotel, restaurant, eating house, boarding or lodging house, coffee house, sweetmeat shop, bakery or for the manufacture of ice, aerated waters.

PURPOSE OF LICENSE.

1. Hotel, boarding house or lodging house, eating house, tea or coffee house. The fee payable per year shall be equal to the Municipal assessment of the premises or portion of the premises wherein the business is carried on, subject to a maximum of Rs. 100 per annum.

2. Bakery or sweetmeat shop, a maximum of Rs. 10 per annum.

3. Ice or aerated water manufactory Rs. 10 per annum.

Rules for the Levy of Fees on Bus Stands in Town Municipalities.

1. A fee of..... per bus per day shall be levied on every bus arriving at the Bus Stand established or maintained by the Municipal Council as prescribed in Schedule 1 to the Act.

2. The fee shall be collected departmentally and the Municipal employer in charge of the Bus Stand shall give the person paying the fee a proper receipt showing the amount received, date and hour of payment and the registration number and/or other identifying particulars of the vehicle.

3. The municipal employee in charge of the Bus Stand shall be bound to maintain a proper account of the daily collections and of the traffic passing through the stand and it shall be produced for inspection whenever called for by the President, Vice-President of the Executive Officer.

4. No exemption from payment of fees shall be allowed in respect of any bus.

5 No refund of the fee recovered shall be made under any circumstances.

Model Rules for the levy and recovery of a rate on buildings and lands under Section 61 (b) (i) of Town Municipalities Act, 1951.

1. A rate on buildings and lands shall be levied in the Municipalities for Municipal purposes. The rate on the following basis shall be payable and on the dates indicated hereunder.

2. *How rates may be collected.*—The rates imposed by the rules shall be collected by the Municipality departmentally.

3. *Remissions.*—Subject to the sanction of Government remissions may be made to any extent by the Municipality on the recommendation of the Municipal Council in cases in which the Municipal Council is satisfied that the recovery of the amount proposed for remission would entail undue hardship on a poor man.

4. *Claims for Refund when not entertainable.*—No claim for refund of any sum paid to the Municipality on account of rates on buildings or lands shall be entertained, unless application therefor is made in writing within ninety days, after the expiry of the year to which the claim relates.

5. *Payment of Refund when not to be made.*—No sum shall be refunded unless the person entitled to it applies for payment within three months of delivery to him of the notice of the refund having been duly authorised. In such notice the period within which the refund must be demanded shall be always stated.

6. *Order for payment of Refund to be written on the Bill Form.*—Every order for payment of a refund shall be written on bill in the form given in Schedule A and signed by the President.

7. *Entry in the Assessment List on Sub-Division.*—Where any property is sub-divided on application being made to the Municipal Council intimating Sub-Division, the Municipal Council shall, unless they see any objection to the same, cause each Sub-Division be entered in the assessment list as if it was a separate property.

8. *How bills prepared and issued.*—All bills under

and from information obtained by process in accordance with bye-laws framed under Section 48 (1) (i) and shall be issued under the signature of the President or other Officer authorised by the President.

9. *Suspension of process for recovery when notice of vacancy received.*—When a notice of vacancy has been received under Section 79 process for the recovery of the dues of the current year of instalment period may be suspended till final orders are passed on the notice.

10. *Owner should give notice of reoccupation.*—When an owner has given notice of vacancy, he shall also give notice in writing to the President within fifteen days of the date of subsequent reoccupation and failing this he shall not be entitled to any refund if it be found that his premises have been reoccupied during the year or instalment period.

11. *Notice Fees.*—For every notice of demand issued under sub-section (3) of Section 92 of the Act, fees shall be levied at the following rates :—

x	x	x	x
x	x	x	x

12. *Warrant Fees.*—For every distraint made under sub-section (5) of Section 93 of the Act, fees shall be levied at the following rates :—

x	x	x	x
x	x	x	x

13. *Maintenance.*—Rates as per accompanying statement shall be charged for maintaining live-stock distrained under sub-section (5).

Sl. No.	Description of live stock	Cost for the supply of fodder for each head of live-stock per day or fraction of a day. Rs. a. p.
1	Elephant	5 0 0
2	Camel	4 0 0
3	Buffaloe	2 0 0
4	Buffaloe calf	1 0 0
5	Bullock or cow	1 0 0
6	Heifer or calf	0 8 0
7	Goat and sheep	0 8 0
8	Kid	...
9	Horse	...
10	Fowl	...
11	Donkey (either young or grown) ...	...
12	Pig	...
13	Birds of all kinds	...

Provided that no rate shall be charged where the owner of such live-stock pays the full amount of the Municipal dues and receives back such live-stock within three hours from the time of their seizure.

14. The Revenue Inspector is authorised to receive Municipal dues under these rules.

15. *Under Section* 46 (1) *when Municipal dues may be written off.*—Arrears of the tax may be written off as irrecoverable if, after it has been outstanding for at least a year, in the case of a sum less than Rs. 5 and three years in other cases, the Municipal Council is satisfied that processes for recovery have been pushed on with due promptness and diligence and that the sums due cannot be recovered within any reasonable or by any legal process.

SCHEDULE "A"

District..... Refund Bill.

Number of payee	Name of payee	Amount of payee	Grounds of refund	Date on which amount claimed is credited in the treasury account	Head of Account under which it is credited	Remarks

Certified that the amounts have been credited in the accounts shown as above.

Treasury Officer .....

Bye-laws for regulating the use of slaughter houses for slaughtering animals in Town Municipalities.

1. Butchers and other shall have access to the Municipal slaughter houses for the purpose of slaughtering animals for sale or private consumption on the conditions hereunder specified. Only licensed men will be allowed in the slaughter house for the purpose of dressing the carcass. These persons will be provided with a badge once a year by the President on payment of one rupee. A list of such licensed men will be hung up at the slaughter house and a copy maintained by the President.

2. None but those engaged in the slaughter of animals and Municipal Officers and Councillors shall have access to the slaughter house.

3. No person shall be permitted to perform the duties of a Mollah or Rubbi in a Municipal slaughter house except with the written permission of the President.

4. No dog shall be allowed into a Municipal slaugher house. Every dog found there shall be made over to the police to be dealth with as a stray dog.

5. No animal which has not been permitted to be slaughtered which is not meant for immediate slaughter shall be brought into a slaughtering shed in a Municipal slaughter house.

6. Every person desiring to make use of a slaughter house shall pay the prescribed fee before entering it.

7. Every animal intended for slaughter at a Municipal slaughter house shall be brought thereto not less than one hour before the time fixed so as to admit of examination by the Health Officer, Veterinary Inspector and the Subordinate assisting them.

8. Animals, which upon such examination are found to be free from disease, shall be slaughtered in a Municipal slaughter house.

9. Every animal, which upon such examination, is found to show symptoms of disease or is suspected of being diseased shall not be admitted to the slaughter house permises but shall be kept under observation.

10. Every animal found upon such examination to be suffering from an infectious or contagious disease, shall be seized and dealth with as provided in bye-law 29 *infra*.

11. No animal that is or suspected to be with young shall be slaughtered at a Municipal slaughter house.

12. Animals shall be slaughtered only in the allotted space of the slaugher house and in no other.

13. No animal shall be slaughtered in a Municipal slaughter house except during such hours as may from time to time be fixed by the President and notified in a conspicuous place in the slaughter house.

14. The carcass of every animal which has been slaughtered is a Municipal slaughter house shall after it has been skinned, be carefully examined to ascertain, if it is free from disease. The skin shall be likewise similarly examined.

15. Every carcass, which upon such examination is found to be diseased, shall be seized and dealt with as provided in bye-law 29 *infra*. Provided that the skin of a carcass not showing sings of infectious or contagious disease shall remain the property of the owner.

16. Every skinned carcass, which after examination is found to be free from disease and fit for human consumption, shall be allowed to be quartered or cut up.

17. No person shall blow by means of insufflation the carcass of animals slaughtered for human consumption.

18. All meat and offal, which upon such examination are found to be diseased or considered unfit for human consumption, shall be seized and dealt with as provided in bye-law 29 *infra*.

19. The skins, entrails and offal of slaughtered animals which have not been seized, shall be collected in a special offal room in the slaughter house, there to be washed and cleaned before their removal.

20. All refuse or offal rejected by the owners of the slaughtered animals shall be deposited by them or their assistants in a Municipal offal truck or bin.

21. The solid contents of the entrails shall not be washed into the sewers but shall be removed by the owners of the animals or their assistants and deposited in a Municipal offal truck or bin.

22. Skins, offal, entrails, etc., left at the Municipal slaughter house after such hours as the President may fix shall be considered as refuse and shall become the property of the Municipal Council and be disposed of as the President shall direct.

23. No person shall sell meat, skin or offal on the premises of a Municipal slaughter house.

24 Meat, entrails and offal which are fit for human consumption and permitted to be removed from a Municipal Slaughter house, shall be removed in covered baskets or prescribed carts and such baskets or carts together with their covers shall at all times be kept clean.

25 No person shall make noise, fight or quarrel or use insulting, abusive or obscene language in a municipal slaughter house. Persons contravening this bye-law shall be summarily rejected.

26 The fee payable for the slaughtering of each animal in municipal slaughter house shall be as detailed in the following schedule:—

	Rs. a. p.
Sheep, Goats, Kids. ...	0 2 6

27 The Veterinary Inspector in the employ of the Municipal Council shall be in charge of the Municipal slaughter houses in.....and shall see that no diseased sheep or goats are slaughtered therein for food or their carcasses removed to the Municipal markets or other recognised licensed places for sale.

28 The Veterinary Inspector shall carefully inspect each and every animal brought for slaughter daily, whether for private consumption or sale to the public and satisfy himself that such animals are perfectly healthy before he admits them into the slaughter house.

29 The Veterinary Inspector shall also examine the carcasses of animals slaughtered in the slaughter houses and shall destroy or bury at such time and place as may be appointed by the President or the Health Officer, any carcass or organ or any part of the carcass that he may find diseased and unfit for human consumption (as wholesome food), with the previous sanction of the President, Vice-President or any other officer authorised by the President.

30 The Veterinary Inspector shall stamp all carcasses before they are removed from the hanging rooms to the stalls in the Municipal markets or licensed mutton stalls in the town, in token that they were passed out of the slaughter house as fit for food. The Veterinary Officer/Inspector shall be careful to see that all carcasses brought for sale to the markets bear the slaughter house stamp. The Contractor or the Health Inspector shall do likewise wherever and whenever practicable. The Veterinary Inspector, Health Inspector or contractor shall report every case in which a carcass does not bear the said stamp, and shall at the same time forward an explanation which the person in possession of such carcass may offer for the orders of the President.

31 Any person who slaughters any sheep or goat which has not been inspected and passed by the Veterinary Inspector slaughters before or after the hours fixed for the purpose or removes any carcass before 6 A.M., and after 6 P.M., to the markets or any other recognised or licensed place for sale, or to his house or who offers any opposition or resistance to the Veterinary Inspector or his peons, the contractor or his servants or to the Health Inspector in the execution of their duty shall be liable on conviction before a Magistrate to a fine not exceeding Rs. 20.

32 The Veterinary Inspector shall look after the conservancy business of the slaughter houses and shall inspect the slaughter houses daily between the hours 6 A.M. and 1 P.M., and 2 P.M., respectively and furnish a report to the President by 4 P.M. of the result of such inspection.

33 No carcass or any portion of a carcass of any sheep or goat slaughtered outside the limits of the Town Municipality shall be sold in any of the Town Municipal Markets or any part of the Town by the owner or person in possession thereof, without carcass being first examined by the Veterinary Inspector of the Town Municipality and the prescribed fee being paid to the contractor for the same, and whoever is found in possession of, or vending such carcass, or any portion thereof, in contravention of these provisions, shall be liable on conviction before a Magistrate to a fine not exceeding Rs. 20.

902

34 No carcass or any portion of carcass of any sheep or goat slaughtered outside the limits of the Town shall be supplied by any person or persons to any of the town hospitals and hotels or eating houses without such carcass being first examined by the Veterinary Inspector of the Town Municipality and the prescribed fee being paid to the contractor for the same, and whoever is found in possession of, or vending such a carcass or any portion thereof in contravention of these provisions, shall be liable on contravention of these provisions, shall be liable on conviction before a Magistrate to a fine not exceeding Rs. 20.

35 The President or Vice-President shall issue a permit to any person applying for permission to slaughter sheep or goats within the limits of the Municipality without license or without payment of any fee for the purpose of the following festivals or religious ceremonies, on such applicant furnishing sufficient grounds for the indulgence sought and the Venterinary Inspector shall note in the slaughter house return on each and every occasion that such permission is given, the name, the residence of the person to whom a permit has been issued and the number of sheep or goats allowed to be slaughtered.

Dasara.—(Hindus only)—One sheep or goat to any one individual or to any one member of a family for two days only.

Akkika.—(Mohamedans only)—The ceremony connected with shaving the head of a child for the first time.

Male child ...	Two sheep or goats.
Female child ...	One sheep or goat.

Bakrid.—(Mohamedans only)—Sheep or goat not exceeding one to any individual or to any one member of a family for three days.

Sadkah.—(Hindus and Mohamedans) (vow by or for a sick person)—Sheep or goat not exceeding one of any description of either sheep or goat.

Mannath.—(Hindustani) (Harike) (Kanarese)—(Mohamedans and Hindus in fulfilment of a vow, made by or for a sick person, sheep or goat not exceeding one of either description.

Second day of Pongal or Sankranthi (Hindus only)—One sheep or goat.

36 Any person who may require any number of sheep or goats for slaughter in excess of that, given for any of the purposes mentioned in bye-law 35, shall obtain a permit from the Veterinary Inspector and pay the prescribed fee to the contractor for such number in excess of that allowed. Whoever, without such permit and without the payment of such fee, slaughters any sheep or goat shall be liable on conviction before a Magistrate, to a fine not exceeding Rs. 20 for every such animal slaughtered together with the amount of the fee payable to the contractor.

37 Whoever infringes any of the bye-laws shall be punished with a fine not exceeding Rs. 10 in each case.

38 Whoever slaughters for sale without the previous permission of the President, except as provided in bye-law 36, any sheep, goat at places within the limits of the Municipal slaughter house, shall be liable on conviction before a Magistrate to a fine not exceeding Rs. 20 for every such animal slaughtered together with the amount of the fee payable to the contractor.

Model Rules, for the levy and collection of a tax on shops and other places where a business or profession is carried on for purposes of profit, payable by the person or persons engaged in the business or profession.

Model Rules.

1 Tax on shops and other places in the Municipality where a business or profession is carried on for purposes of profit, payable by the person or persons engaged in the business or profession shall be levied by the Municipal Council at the rates specified in the Schedule.

2 The tax shall be payable in advance in two equal half-yearly instalments in April and October of every year or in one lumpsum if the assessee so desires.

3 No shop or other places of business or profession shall be liable to be taxed under these Rules in respect of

any half-year in which the person liable to pay the tax was engaged in the business or profession for a period of less than sixty days in the aggregate within the Town.

4 Any person who has paid the tax for the whole half-year or year and who ceases during such period to be liable to assessment, shall be entitled to refund of not less than half the assessment, provided that no such remission shall be granted unless notice in writing of the fact of his giving up the business or profession has been given to the President, Municipal Council, and no remission or refund shall take effect for any period, previous to the day of the delivery of such notice.

SCHEDULE.
(*See Rule* 1).

Maximum rates of tax on shops and other places of business or profession.

Items	Sort					
	First Rs.	Second Rs.	Third Rs.	Fourth Rs.	Fifth Rs.	Sixth Rs.
1. Shops:— For each shop per year ...	30	25	20	10	4	2
2. Other places where business or profession is carried on for purposes of profit.— For each shop or place per year.	30	25	20	20	4	2

Model Bye-laws for the levy of toll on vehicles entering the limits of a Town Municipality.

Bye-laws regarding levy of Tolls.

1 The Municipal Council shall establish toll-gates for the purpose of collecting tolls on the several routes leading into the town and notify the location of such toll-gates.

2 The toll-gates shall be called the Heggaddevankote Town Municipal Toll-gates.

3 No vehicles liable to the payment of toll, shall enter into the Municipal limits except by one of the toll-gates described hereunder.

(1) Toll-gate near Anjaneya Swamy Temple behind Varadarajaswamy Temple.
(2) Toll-gate near 17th mile stone in H.B. Road.
(3) Toll-gate near Taraka River Bridge in Mysore Road.

4 The Municipal Council shall have power to change, add to or combine the existing toll-gate if they consider that such a course is necessary for the proper collection of tolls. Every such change, addition or combination shall be notified in the limits of the Municipality.

5 No toll shall be levied on through traffic. The time limit for through traffic from one end to other end of the Town shall be one hour.

Every person or owner who is for the time being in possession or use of any vehicle shall be bound to stop at the first toll-gate of entry into the Town limit through which he desires to pass.

7 Every such person or owner in possession for the time being of any vehicle shall be bound to give all necessary and true information for the ascertainment of levy and collection of toll, to the person in charge of such toll-gates.

8 If on such information, the person in charge of the toll-gate considers that the owner or user of any bus, etc. is liable to pay toll, such owner or user shall pay such tolls at the prescribed rates. But if he considers that the owner or user is entitled to exemption, after looking into the pass or permit, if any, the person in charge of the toll shall permit him to proceed.

9 *Penalties.*—Any person who violates or commits breach of the above bye-laws shall render himself liable before a Magistrate to a fine which may extend to Rupees Twenty.

Model Rules for the levy and recovery of Toll under Section 61(b) (iii) of the Act, on vehicles entering the limits of a Town Municipality.

1 Tolls at the rates mentioned in schedule shall be levied upon the vehicles specified therein entering the

903

2 The person in charge of the Toll-gate shall give the person paying the toll a proper receipt, showing the amount received, the date and hour of payment and the description or marks of identification of the vehicles.

3 *Exemptions.*—In the following classes of vehicles no Toll shall be levied :—

All Municipal Vehicles.
.....
.....

4 Toll shall be levied only once in respect of each vehicle passing through the Toll-gates of the Municipality, on any day, counted from sunrise irrespective of the number of times the vehicle enters the Municipality or the different routes by which it enters.

5 The person in charge of the Toll-gate shall be bound to maintain a proper account of the daily collection and of the traffic passing through the Toll-gate and it must be produced for inspection whenever called upon by the President Vice-President or the Executive Officer of the Municipality.

6 Any person may, before the expiry of the period mentioned in the permit, apply in writing to the President for renewal of the permit.

7 Whenever a person who has compounded for a definite period desires to discontinue to run his vehicle within the period he may apply for the refund of the balance of money if any, paid by him in advance and on reasonable cause being shown, the President may refund the excess amount, if any, paid by him provided that no refund shall be allowed for a sum less than one-third of the aggregate amount due for the period for which composition is effected. All applications for such refund shall be presented within fifteen days from the date of such discontinuance after the lapse of which any such claim shall not be considered under any circumstances whatsoever.

Refunds.

8 Any person from whom toll has been recovered unauthorisedly or in excess of the amounts prescribed in respect of any particular vehicle may apply in writing along with the receipt to the President of the Municipality for the refund of the amount paid, within one month of the payment of such toll. Thereupon the President may have the claim investigated and disposed of.

General

9 If the right of collection of Toll has been framed out, the composition fees collected by the President should be held at the credit of the Contractor and adjusted towards his dues in the final instalment for the year.

Notification dated 7th May 1954.

No. L. 1349—MI. 159-54 1. In exercise of the powers conferred by Section 48 (1) (f) of the Mysore Town Municipalities Act, 1951 (Mysore Act XXII of 1951) Government of Mysore are pleased to make the following Model Bye-laws for the registration of Births in Town Municipalities in the State :—

1 *Definitions.*—For the purpose of these bye-laws.—

(*a*) The term "Division" means the area in which any Registrar of Births and Deaths is appointed to perform his functions.

(*b*) The term "Occupier" includes any person for the time being paying or liable to pay the owner, the rent or any portion of rent of the land or building in respect of which the word is used.

(*c*) The term "President" means the President of the Municipal Council for the time being.

(*d*) The term "Public Institution" includes a prison lock-up, lunatic asylum, hospital, reformatory, industrial school, barrack or any charitable or other institution which is under the management of a public body, officer or person.

(*e*) The term "Registrar" means and includes any person who may be appointed by the President as a Registrar of Births and Deaths for any division of the Municipality.

(*f*) The term "Registrar General" means the Director

being and the "Deputy Registrar-General" means the Superintendent of the Bureau of Vital Statistics for the time being.

(g) The term "Still-born" or "Still-birth" have reference to a child born after the 28th week of gestation as dead or apparently dead and not called back to life.

2 *Appointment of Registrars.*—For the proper registration of all births and deaths the Municipality shall be divided into Divisions and for every such Division a Registrar of Births and Deaths shall be appointed.

3 *Registrar to live in this Division.*—Every Registrar shall reside at some convenient central place within the division of which he is the Registrar and shall cause his name with his designation as Registrar of Births and Deaths for the Division for which he is so appointed, in English and Kannada to be placed in some conspicuous place on or near the outer door of this office.

4 *Temporary arrangements during illness or absence of the Registrar.*—In case the Registrar is unable for more than a week to attend to his duties on account of illness or other urgent cause, he shall report the fact to the President, who shall at once make temporary arrangements for the performance of the duties of the Registrar, and any person thus temporarily appointed shall be held to be the Registrar for the purpose of these bye-laws. The President shall report the arrangements made to the Registrar-General.

5 *Information of Birth to be given within seven days.*—Information covering all the particulars specified in form No. V.S. 1(b) appended shall be given to the Registrar of the division within one week after day of birth regarding every birth that takes place within the municipal limits.

The duty of giving notice of births is laid, in the first instance, upon the father provided that the child is legitimate and that the father is in the Municipality.

In the absence of the father and in all cases of birth of illegitimate children, the duty is laid on the mother provided her health permits.

Should both father and mother be unable or fail to give notice, the duty is laid on the Medical Officer or Midwife attending the mother. Where there is no Medical Officer or Midwife, the duty is laid upon the occupier of the building in which the birth takes place.

6 *Information of Death to be given within 36 hours.*—Information regarding the death of any person dying within the Municipal limits, covering the several particulars prescribed in Form No. V S. 2(b) appended shall within 36 hours of such death, given to the Registrar of the Division.

The duty of giving such notice is laid, in the first instance, upon the nearest relative of the deceased person who has been present during his illness.

Failing such relative, it is laid upon the Medical Officer who attended the deceased person.

Where there is no Medical Officer, the duty is laid upon the occupier of the building in which the death occurred.

Births and Deaths occurring in public institutions to be notified by the Officers-in charge.—The above bye-laws do not apply to the case of a birth or death occurring in a public institution. In that case, the duty of sending the notice is laid upon the officer-in-charge of the institution.

8 *Particulars regarding dead bodies found exposed to be reported by the Police.*—In cases of the discovery of dead bodies, whether of newly born children or otherwise it shall be the duty of the Police Station Officer within whose jurisdiction any such body is found, to report to the Registrar, such particulars as are available for the purpose of the entries to be made in the register of deaths as well as in the case of bodies of newly born children in the register of births.

9 *Priests and burial-ground watchmen, to furnish information if required.*—Should the President so order, every person who conducts the funeral obsequies of any person dying within the municipal limit and any person who is placed in charge of a grave yard, burning ground or other place of burial or cremation, shall furnish the Registrar with such information as he may be required by the President, to furnish regarding any funeral obsequies conducted by him or any burials or cremations that have taken place within the premises committed to his charge, as the case may be.

10 *Registrar to register information without fee or reward and to inform himself of every birth and death.*—Every Registrar shall inform himself carefully of every birth and death which takes place in his Division and shall register, as soon as conveniently may be after the event without fee or reward the particulars required to be registered under Bye-law 11 touching every such birth or death, as the case mny be which has not been already registered.

11 *Forms of Birth and Death Registers to be maintained in original, duplicate and triplicate.*—The Register of births shall be maintained in Form No. V.S. 1(b) and the Register of deaths in Form No. V.S. 2(b) appended in original, duplicate and triplicate.

12 *Entries to be numbered serially.*—In each of these Registers the occurrences registered shall be numbered serially, the series of numbers running from 1st January to 31st December. No entry shall be interpolated between two serial numbers.

13 *Written information received by the Registrar be preserved for two years.*—An information received by the Registrar in writing in connection with the registration of any birth or death shall be filled by him and preserved for two years.

14 *Entries in respect of childern born dead.*—A special column in the Register of Births is provided for the entry of still-births which are not included in the statistics either of births or of deaths.

15 *Entries in respect of Children born alive which die before the birth is registered.*—In the case of a child which is born alive but dies before its birth has been registered the Registrar shall enter the birth in the Register of Births and the Death in the Register of Deaths.

16 *Registers to be renewed once a year Registers to be sent by the Director of Printing and Stationery in Mysore direct to Presidents for distribution to Registrars.*—Each Register shall consist of 1,098 pages, 366 originals, 366 duplicates and 366 triplicates and shall be used continuously for a period of one year. The Director of Printing and Stationery in Mysore will print these Registers and issue them to the President for distribution to the Registrars concerned at least by the end of November of each year.

17 *Triplicate copies to be sent daily to the President of the Municipality.*—The triplicate pages which have been written up during every day shall be detached at the perforation and sent by the Registrar to the President of the Municipality before the close of the following day. The particulars shall thereupon be posted into the consolidated Register of Births and Deaths, which shall be maintained in the Municipality.

If during any day no births or deaths have occurred the triplicate from should be sent with the remark "Nil" written thereon.

18 *The President to collect the duplicate returns from Registrars and forward them to the Registrar-General so as to reach him on or before the close of the third day following.*—The duplicate pages should be similarly detached at the perforation and sent to the President, who, after scrutinising the returns carefully, should forward them in a bundle to the Registrar General so as to reach him on or before the close of the third day following.

19 *Check by President of regular receipt of returns.*—A set of posting registers showing the names of Registrars will be maintained in the office of the President, in which the returns received will be posted as they come in; when these registers show that the return for any day is 48 hours overdue, a reminder will be sent to the Registrar. The President will take disciplinary action against Registrars who are frequently in default.

20 *Process of sorting and abstracting the returns in the Central Statistical Office.*—The returns received in the Central Statistical Office will be abstracted and posted into Registers for purposes of compilation.

21 *Filing of returns permanently.*—As soon as the required information has been abstracted and posted the returns for each month will be filed in racks. By close of each year the returns will be transferred to records. The returns will be retained as permanent records.

22 *Reviews to be published weekly, monthly and quarterly.* The statistics so abstracted will be published

905

for the information of the authorities concerned and of the public with a review of the same, weekly, monthly and quarterly

23 *The original Register to be finally deposited in the Office of the President.*—Each Register of original shall be retained in the custody of the Registrar for one year after it is closed and shall then be sent to the President, who after careful scrutiny of all unattested erasures and alterations, shall file it as a permanent record.

24 *Entries to be made in the Birth Register by Midwives and Vaccinators.*—It shall be the duty of the Registrar to produce him Register of births, before the midwife and the vaccinator and it shall be the duty of the midwife and the vaccinator respectively to enter their initials, with such remarks as may be called for against the cases in which they have attended at the birth of a child or vaccinated it, as the case may be.

25 *To exercise supervision over Registrars.*—The District Health Officer, Senior Health Inspector and Junior Health Inspector as the case may be, shall constantly inspect the Registrars of Births and Deaths, make test checks by enquiry, instruct the Registrar as to the discharge of his duties and exercise a general supervision over the work of the Registrar. The registers shall be checked at least once a week by the Health Inspector and the entries verified should bear the initials of the Checking Officer with date of check.

26 *Errors*—Every error found in the register of births or in the register of deaths shall be corrected by drawing a line through the original entry (but not so as to render it illegible) and writing the entry above it, and the correction shall be fully signed and dated by the Registrar and the Checking Officer, if the error be discovered by the Checking Officer. All such corrections shall be duly intimated to the Registrar-General through the President, with the reasons therefor. The correction when approved by the Registrar-General will be made in the returns, filed in the Central Statistical Office, and due information will be sent to the President for informing the Registrars concerned.

Provided that no entry shall be corrected under this rule more than a year after the entry has been made except with the previous sanction of the President.

27 *When Registrar to give extract, free of charge.*—The Registrar shall, as soon as the registration of birth of a child has been completed, give an applications, free of all charges, to the person who gives information of the birth, an extract under his hand from the register relating to such birth. For purposes of this bye-law the register will be the register of originals kept by the Registrar.

28 *Search of Birth and Death Registers.*—Any person may at any reasonable time on payment of a fee of four annas for each visit, search any register of births and deaths. For purposes of this bye-law the register of births and deaths will be the returns sent daily by the Registrar through the President to the Registrar-General and filed in the Central Statistical Office.

29 *Issue of Birth and Death Certificates in cases registered under the new system.*—Any person requiring a certificate of birth or death may put in an application affixing a one-anna court-fee stamp, and enclose an eight-anna court fee stamp to be affixed to the certificate.

The applications should state clearly.—

(i) The name and name of the party in relation to whose birth or death, a certificate is required.
(ii) The date, month and year of occurrence.
(iii) The name of the street and the division where the event occurred, and
(iv) The postal address of the applicant for sending the copy.

The application may be addressed either to the Registrar-General or to the President, who will forward it to the Registrar-General. On receipt of such an application the Registrar-General will cause the duplicate return relating to the occurrence to be traced and a true copy of the same to be issued over his signature or that of the Deputy Registrar-General and sent, either directly to the party concerned, or to the President, to be given to the party concerned.

30 *Penalty for omission to give information.*—Any person, whose duty it is to give information under the preceding bye-laws and who neglects or refuses to give such information or gives false information shall be liable on conviction to a fine not exceeding ten rupees.

DAILY BIRTH REPORT.

ORIGINAL.

Registrar-General of Births and Deaths.

Date of Report..... Name of Municipality:.....

V.S. No. 1(b)

Annual Number	Date of Registration	Date of Birth	Birth		Sex	Name of Child	Name of Father	Address			Particulars of Mother								Initials of Checking Officer with remarks
			Born alive	Born dead				Door Number	Street	Division	Name	Age	Occupation	Permanent Residence	Community	Order of Birth	No. of living children including this child.	No. of years after consummation of marriage	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20

Plural births.—Particulars of plural births should be entered separately for each child.

Note:—Even if a child were to die within an hour after birth it should be entered as a birth in this Register and as a death in the Death Register.

206

DAILY DEATH REPORT.
ORIGINAL.

Registrar-General of Births and Deaths.

Date of Report..... Name of Municipality.....

V.S. No. 2 (b)

Annual Number	Date of Registration	Date of Death	Name of Deceased	Name of Father or Mother	Address			Permanent Residence.	Particulars of Deceased						
					Door Number	Street	Division		Occupation	Community	Age	Sex	Conjugal condition	Cause of Death	Initials of Checking Officer with remarks.

Note.—Even if a child were to die within an hour after birth, it should be entered in this Register and as a birth in the Birth Register.

To

The Registrar-General of Births and Deaths through the President.

Signature of Registrar.

Notification.

Model Rules for regulating the conduct of business and delegation of any of the powers or duties and the Appointment and Constitution of Committees of a Municipal Council, Heggaddevankote.

1 *Business to be conducted if a quorum be present at the hour fixed for the meeting.*—At the hour fixed for a meeting of the Council if a quorum be present, the business of the meeting may at once commence and, if neither the President nor the Vice-President, be present the Councillors present may proceed to chose a Chairman under sub-section (5) of section 27. If the President, or the Vice-President, arrives after a presiding Councillor has been chosen by the Councillors the presiding Councillor shall leave the chair, and the President or Vice-President, shall preside.

2 *Absence of quorum during a meeting.*—If during a Meeting the presiding authority notices that a quorum is not pesent, or any Councillor calls the attention of the presiding authority to the fact that a quorum is not present, the presiding authority shall immediately suspend the business of the meeting and shall count the number of councillors present, and if that number is insufficient to form a quorum the presiding authority shall follow the procedure laid down in sub-section (7) of section (27).

3 *Confirmation of minutes of previous meeting.*—At the commencement of proceedings of each ordinary general meeting, the minutes of the previous general meeting shall be read. If any councillor present objects to the minutes as having been incorrectly or incompletely recorded, the presiding authority shall, after taking the sense of the meeting make such amendments as he thinks proper, and the amended minutes shall then be confirmed and signed by the presiding authority.

4 (*a*) *Order to be observed.*—A councillor wishing to speak must rise in his place. The councillor who first rises to speak has the right to be heard. In cases of doubt the presiding authority shall decide who is entitled to speak. No interruption to the speech of a councillor shall be permitted except that the presiding authority may call the councillor to order, and any other councillor may rise and request the presiding authority to call the speaker to order, or request the presiding authority to notice that a quorum is not present.

(*b*) *Procedure of putting questions.*—All questions from one councillor to another relating to the business of the meeting shall be put through the presiding authority.

5 (*a*) *Order.*—The presiding authority shall preserve order and all points of order shall be summarily decided by think fit to take the opinion of the councillors present the presiding authority may adjourn any meeting that refused to obey his ruling on a point of order.

(*b*) *Councillor called to order to resume his seat.*—A councillor called to order by the presiding authority shall resume his seat till the decision of the point of order raised, provided that the presiding authority may allow the member to speak on the point of order raised. If any councillor desires to dispute the decision of the presiding authority, he may bring forward a proposition at the following meeting.

6 *Grouping of items of business.*—If more than one meeting be held the same day it shall be competent to the presiding authority with the consent of the majority of the of the councillors present, to submit for consideration as one subject, for disposal by one meeting any two or more items of business relating to the same subject although some of such items shall appear on the agenda papers of another and distinct meeting to be held on the same day.

7 *A proposition may be divided.*—The presiding authority shall have powers to divide into two or more distinct propositions, any proposition or amendment which in his opinion is so complicated as to be likely to lead to confusion or inconvenienced by being debated on as one proposition.

A proposition when divided need not be moved and seconded more than once.—But when by virtue of this rule a proposition or amendment is divided, it shall not be necessary, unless the presiding authority decides to the contrary, for the second and following portions of such proposition or amendment to be again separately moved and seconded. But the propositions so divided shall be put to the vote by the presiding authority one after the other.

8 *Mode of addressing the meeting.*—Each Councillor rising to speak shall direct his speech to the question before the meeting or an amendment which he is himself about to propose or to a point of order always addressing the presiding authority from his place. A councillor having spoken to a proposition or amendment is not at liberty to speak again to such proposition or amendment:

Provided that the mover of a proposition or amendment shall have a right of reply, after the presiding authority has ascertained that no other councillor entitled to speak desires to speak.

Provided further that any councillor may second a proposition or amendment by saying "I second the propo-

Provided also that a councillor who wishes to explain any mis conception of expressions used by him may do so with the permission of the presiding authority.

9 *Routine resolutions may be put to meeting without being moved or seconded.*—Routine resolutions such as recording periodical statements or confirming the proceedings of a committee, may be put to the meeting by the presiding authority without their having been moved or seconded. Propositions regarding the choice of a presiding councillor, adjournments and the like must be seconded but need not be in writing.

Except as provided above, every proposition and every amendment must be in writing and must be seconded.

Resolutions of Committee to be moved and seconded by members.—When a resolution of a committee is submitted to the General Meeting for adoption, its adoption should ordinarily be moved and seconded by members of the Committee.

10. *Amendments.*—After the proposition has been moved and seconded, any councillor may propose an amendment thereto:

Provided that no Councillor shall be at liberty to propose more than one amendment to any proposition except when such proposition is for the passing of a budget or of a set of general rules or is otherwise of such a nature as to require the making of many amendments to different parts of it.

11. *Presiding authority to read proposition to the meeting.*—The proposer of any amendent shall state it or hand it in writing to the presiding authority at any time before he resumes his seat. When the mover of a proposition or amendment has resumed his seat, the presiding authority shall read the proposition or amendment to the meeting and ask if any councillor seconds the proposition or amendent and until the same is seconded, the presiding authority shall not permit any discussion on the question. If no councillor seconds the proposition or amendment, the presiding authority shall declare that the proposition or amendment is lost.

12. *Speeches should not be read.*—A councillor shall not read his speech, but may refresh his memory from notes and may, with the consent of the presiding authority read passages from books or documents cited on behalf of his argument.

13. *Any councillor may move proposition of which notice has been given if original mover is absent or unwilling.*—If a councillor has given due notice to move a proposition, and if that councillor be not present at the meeting or shall have ceased to be a councillor before the meeting or be unwilling to move the proposition of which he has given notice, any councillor present at the meeting may with the consent of the presiding authority, move the propostion of which notice has been given.

14. *Amendments to omit words, etc., from original propositions to be clear and relevant and not mere negative of previous propositions.*—An amendment shall usually be in the form of a proposal to omit words from the original propostion, to insert words therein or to add words thereto.

Every amendment must be relevant to the proposition it is proposed to amend and must be framed so as to form therewith an intelligible and consistent sentence. An amendment which is the direct negative of the proposition shall not be allowed.

15. *Amendments may be sent to the President beforehand in writing.*—A councillor who intends to propose an amendment to a proposition is at liberty to send or deliver at any time beforehand to the President or the presiding authority, his proposed amendment in writing.

16. *Each amendment to be decided before the next is entered upon.*—Each amendment to be decided before the next amendment is entered upon, but after any amendment has been proposed and seconded, any councillor may move that the amendent be amended by the omission, insertion or addition of certain words, and the presiding authority shall thereupon ask if any other councillor second the proposal and if seconded, the proposal to amend the amendmet shall then become the question before the meeting.

17. *No amendment to words already resolved be made.*—No amendment to words already resolved shall stand part of, or to be added to, the original proposition or amendment except by addition of other words.

18. *Amendment once negatived not to be proposed.*—No amendment may be proposed which is the same in substance, as a proposition or amendment which has been negatived during the meeting.

19. *Proposition or amendment not to be withdrawn.*—A proposition or amendment which has been moved and seconded cannot be withdrawn without the permission of the meeting.

20. *Presiding authority to move propositions without quitting chair.*—The presiding authority may move and second propositions or amendments speak and vote without vacating the chair.

21. *Voting.*—When a question is put to vote, the presiding authority shall call for a show of hands, and the presiding authority or a councillor at his request shall count the hands shown for and against and declare the result. If any councillor challen ges the correctness of the numbers thus declared, the hands shall be counted a second time provided that if any two councillors request a poll, the presiding authority shall call the roll of the Councillors and record on the minutes of the meeting the names of the councillors voting for and against.

The presiding authority, unless he refrains from voting should give his vote before declaring the number of votes for and against a question and then in case of an equality of votes he should give his casting vote.

22. *No member obliged to vote.*—A councillor who is present at a meeting may refrain from voting. If the question before the meeting be the confirmation of a report or proceedings of a committee, the member of that committee may vote. If the conduct of a councillor be in question, that councillor may vote.

23. *Result of equality of votes.*—When there is an equality of votes and the presiding authority refrains from giving his casting vote, the propostion shall be held to be neither passed nor rejected and may be brought forward at any subsequent meeting.

24. *Budget discussion.*—When a budget or re-appropriation statement is laid down before a general meeting, the procedure shall be as follows.

(i) The presiding authority shall read each item of the abstracts of receipts and expenditure and shall without any mover or seconder put to the meeting the quesion "that this item stand a part of the budget or reappropriation statement."

(ii) If any councillor propose to reduce or increase or strike off the item and the proposal to be seconded, such proposal shall be treated as an amendment and shall become the question before the meeting.

25. *Proposals to adjourn a meeting or for closure or to postponing, etc.,*—A proposal to adjourn a meeting or for closure or to postpone the consideration of a question shall take precedence over any other proposition before the meeting.

HEGGADDEVANKOTE MUNICIPALITY.

Mysore Town Municipalities Octroi Rules.

1. Octroi shall be levied in respect of animals or goods or both specified in the schedule to these rules at the rates noted against each (the items of the schedule and the rates to be specified by the Municipal Council concerned).

2. The Octroi shall be paid at the time of import of the animals or the goods to the Octroi Mutsaddi in charge of the Octroi Ookad. In case of disagreement was to the amount of octroi duty payable by the Importer of goods inported within the octroi limits the Mutsaddi in charge of the Ookad shall cause the importer to take the goods before the President or Vice-President or the Executive Officer, for the settlement of the duty to be paid.

3. When the goods have been examined at the octroi ookads, a pass in duplicate for such of the goods as are liable to octroi duty shall be furnished to the Importer by the Octroi Mutsaddi. On receiving such pass, the importer shall forthwith bring the taxable goods to the Central Octroi Office accompanied by a peon provided that, if the duty to which the goods are liable does not exceed five

to the importer a permit showing the nature and quantity of the goods and the duty received; provided also that in the case of goods imported by railway, the Inspector or other officer-in-charge of the Octroi Post at the Railway Station may, in the same manner, receive duty not exceeding five rupees.

4. When goods accompanied by a pass as aforesaid are brought to the Central Office, they may be unloaded and weighed or counted by the officer in charge of the Octroi Office. Upon ascertainment of the amount of octroi payable on the goods the importer shall either pay the amount due and receive permit for the removal of the goods or shall deposit the same in the Octroi Office. When the duty is paid as above, a permit shall be granted by the officer, in-charge of the Central Octroi Office for the removal of the goods showing the quantity of weight of the goods, the duty paid in respect thereof and the date of payment. The fact of the receipt shall also be noted on each copy of the duplicate pass, one copy of which shall be filed in the office and one copy returned to the octroi post from which it was received. In case the importer wishes to re-export the goods at once, he shall do so only after obtaining a free export pass subjecting the goods to the escort of an octroi subordinate.

5. With a veiw to facilitating the appraisement of the value of goods when the tax is assessed on value, the importer may be called upon to produce the invoice of the goods for the inspection of the officer in charge of the Central Octroi Office. Whenever the invoice produced by an Importer is in a language other than English or Kannada, he shall produce a true copy of such invoice translated into English or Kannada and verified by the importer.

In case the importer does not produce an invoice he shall give a declaration in writing regarding the quantity, number, weight, value, etc., of the article, for clearnce of octroi duty. Should the importer fail or refuse to produce the invoice or if the invoice or the declaration produced appear to the officer in charge of the Central Octroi Office to be false or unduly low, the value of the goods shall be assessed by the officer in charge of the Central Octroi Office at current rates and octroi levied accordingly.

Explanation.—When the appraisement of the value of goods is made on the basis of the invoice, the value shall include all expenses such as packing charges, freight charges, cart hire, etc., less trade discount shown in the invoice.

6. With the previous approval of the President, in each case any carrying agent through whom goods are imported on behalf of persons resident within the municipality or any wholesale importer may, on depositing as security such amount not being less than Rs. 250 as may be fixed by the President, be exempted from producing the goods imported by him, or through his agency for inspection at the Central Octroi Office provided that he makes arrangements satisfactory to the President for the supply to the Municipal Council of correct and detailed lists of all such goods with the names of the consignees in each case. Every such agent shall be responsible to the extent of his deposit for the payment of octroi on all goods which may have left his *premises* without octroi having been paid.

Provided that the President may at any *time cancel such* exemption by giving notice in writing to such agent or importer and return to him the amount of his deposit or such portion thereof, as may remain to his credit or may in any case require such agent or importer to produce any such goods for inspection at the Central Octroi Office.

Every deposit holder under this bye-law shall submit on or before the 3rd of every month the stock accounts of the previous month for verification of the dutiable articles.

DEPOSIT ROOM—CENTRAL OCTROI OFFICE (BONDED WAREHOUSE).

7. The Municipal Council shall provide a Bonded Warehouse in the Central Octroi Office for the custody of goods which may be deposited under Rule 3 of the Octroi Rules.

8. The Bonded Warehouse shall be open for the transaction of business from 11 A.M to 5 P.M. daily except on Sundays and Holidays authorised by the President. charge of the Octroi Office for dealing with perishable articles such as betel leaves on such days.

9. Any importer depositing goods in the Bonded Warehouse shall unless the officer in charge of the Octroi Office has previously by weighing, counting or appraising ascertained the amount of octroi payable thereon, give a declaration in the form appended (Schedule No. 2) of the description, weight, quantity and if necessary of the value of the goods.

10. A receipt in the form appended (Schedule No. 3) shall be given by the officer in charge of the Central Octroi Office for all the goods deposited in the Bonded Warehouse and a Register of all such goods shall be maintained.

11. The receipt given by the Octroi Department for depositing the goods should be returned before taking delivery of the articles to which it refers, otherwise the officer in charge of the Central Octroi Office may refuse to deliver the articles.

12. If the depositor does not himself take delivery of the article deposited in the Octroi Office, he must endorse on the receipt a request for delivery to the person to whom he wishes it to be made and if the receipt is not produced the delivery of the goods may at the discretion of the officer in charge of the Octroi Office be withheld until the person entitled in his opinion to receive the same has given an indemnity to the satisfaction of the Officer in-charge of the Octroi Office.

13. Any person who has deposited goods in the Bonded Warehouse may break bulk or change the packing thereof on application to the Officer in charge of the warehouse or may, on paying full duty thereon, import such goods into the Municipal limits covered by a permit or may export such goods immediately after the receiyt into the Octroi Office free covered by an Export Pass subject to the escort of an octroi subordinate; provided that new packages covered by such pass shall if possible, before they are taken from the warehouse be stamped by the Officer in charge, so as to show that they are under deposit.

The Export pass shall be in triplicate, the original being retained by the Officer-in-charge of the Warehouse, and the duplicate and triplicate delivered to the exporter.

14. No goods shall be allowed to leave the warehouse until storage fee has been paid thereon under the following rules:—

(*a*) Goods shall be allowed to remain 24 hours free of charge counted from sunrise to sunrise.

(*b*) After that period single rates as in the following table shall be charged for seven days or portion thereof

0—4—0 per day

(*c*) Double these rates shall be charged after seven days, provided that the President, may, in his discretion, allow a reduction in, or exemption from, such double rates.

(*d*) The date of admission and removal of goods shall reckon as one day and Sundays and closed holidays shall not be taken into account in reckoning the date from which fees under each class shall be payable. When delay is caused by the inability of the Officer in charge of the deposit room to examine and pass the goods, such delay shall not be reckoned.

15. The President may permit any wholesale dealer to occupy a room in the Bonded Warehouse for the storing of dutiable articles intended for sale to retail dealers in the Municipality and may make such rules regarding the occupation of such rooms as may from time to time be found necessary.

16. When goods stored by the wholesale dealer in the Bonded Warehouse under the above rule are issued on payment of duty, such allowance may be made on the original weight on account of reduction of weight owing to driage or wastage as may from time to time be fixed by the President.

17. All perishable commodities remaining uncleared or unclaimed after 48 hours shall be sold by public auction to the highest bidder at the Warehouse. All other goods remaining uncleared or unclaimed for a longer period than three months shall be sold in like manner, provided that, before selling such goods notice of that fact shall be posted for seven days at the Bonded Warehouse and at the Municipal Office and provided that goods shall be sold earlier when the storage fees are likely to exceed their

18. When any goods are sold under Rule 17 of the Octroi Rules the sale proceeds shall be credited to the Municipal Funds, in payment of duty and storage fees due in respect thereof, provided that if the amount realised by the sale exceeds the amount so due, the balance shall be kept in deposit for one year and any claims, for such balance received during that time shall be duly considered by the President. At the expiry of one year, or after all claims received during that period have been duly disposed off, the balance shall be credited to the Municipal Funds. No claims shall be admitted after the said period of one year, except by special permission of the Council.

19. The Municipal Council shall not be responsible for any damage that may be caused to goods deposited in the deposit room while such goods are being passed into or out of the deposit room or while they remain therein unless such damage is proved to have been caused by the wilful neglect of the deposit room keeper or other person charged with the safe custody of the goods.

20. Any person may, with the sanction of the President be permitted to use any place as of Bonded Warehouse on payment of the cost of such establishment and subject to such conditions, as may, in each case, be fixed by the President.

21. *Exemptions.*—In the following cases no octroi shall be levied.

SCHEDULE OF ARTICLES.

Sl. No.	Name of the articles		Per unit	As existing Rs. a. p.	As proposed. Rs. a. p.
1	Cocoanut fresh	...	100	0 8 4	0 8 4
	Do dry	...	per maund	0 6 0	0 6 0
3	Betel leaves ...	...	100	0 0 1	0 0 1
4	Sugar ...	...	Maund	0 4 0	0 4 0
5	Sheepor Goat ...	...	Per head	0 1 6	0 1 6
6	Tobacco (raw)...	...	Per maund	0 8 0	0 8 0
7	Kerosene oil ...	...	Per tin	0 2 0	0 2 0
8	Piece goods and cloths	...	Per cent *ad valorem*	1 9 0	1 9 0
9	Arecanut ...	...	Bag of 5 mds.	...	0 2 0
10	All othes kinds of oil	...	Per tin	0 2 0	0 2 0
11	Cement ...	...	Per maund	...	0 0 6
12	Beedies ...	...	1,000	0 2 0	0 2 0
13	Cigarettes ...	...	1,000	0 4 0	0 4 0
14	Coffee and Tea	..	Per cent *ad valorem*	...	1 9 0
15	Groundnut and seeds	...	100 seers	...	0 1 0
16	Match box ...	...	Per gross or fraction.	...	0 1 0
17	Jaggery ...	...	Per maund	0 2 0	0 8 0
18	Ghee ...	...	Do	0 8 0	0 2 0
19	Burnt lime ...	...	Per cartload	...	0 14 0
20	Soaps of all kinds	...	Per cent *ad valorem*	...	2 0 0
21	Iron and Steel...	...	Do	...	1 0 0
22	Country butter	...	Per maund	0 8 0	0 8 0
23	Oil seeds ...	...	Per candy of 160 seers or fraction.	...	0 4 0

SCHEDULE No. II.

The Officer-in-charge of the Octroi Office, Town Municipality of... ... Please receive the undermentioned goods and deposit them in the Koti.

Name of depositor	Description of articles deposited	No. of packages	Distinguishing marks, if any	Weight	Measurement	Quantity	Value	Remarks
				Mds. Srs	Cft. C.in.			

I do hereby certify that I have satisfied myself that the entries as made by me above are correct and that I am fully aware of the provisions of Rules Nos. 10 to 14, 16, 17 and 18 relating to the deposit.

Witness :— Signature of Deposi for

Signature..... Address :—

SCHEDULE No. III.

Octroi Office or Bonded Warehouse..... Town Municipality. Received for deposit the undermentioned goods from.....

Receipt No.	Consignment number and date	Goods despatch note No.	Name and description of article	Number of articles	Remarks

Octroi Clerk. *Officer in-charge of Octroi, Office or Bonded/Warehouse.*

MYSORE TOWN MUNICIPALITIES

OCTROI BYE-LAWS.

1. The octroi limits for the purposes of collecting octroi shall be the Municipal limits.

2. No article liable to octroi shall be brought within the Municipal limits except by one of the high roads and the cross roads specified in the schedule (to be specified by each Municipal Council) or by the railway.

3. (*a*) The octroi posts at which such goods shall be liable to inspection shall be the Ookads on the high roads as well as the cross roads specified in the schedule, the bonded warehouse, and the railway station. And every person bringing dutiable goods within the Municipal area shall report the fact at the first of such posts on the route by which they are brought. All officials of the Octroi Department not below the rank of a Mutsaddi are authorised to inspect the contents of any conveyance or package under Section 85 of the Town Municipalities Act, 1931.

(*b*) All persons driving vehicles shall stop them at the Octroi posts when entering the Town Municipal limits (whenever required to do so by the Octroi staff) for the purposes of examining and searching articles liable to octroi.

(*c*) Breach of clause (*b*) of this Bye-law shall render the offender liable on conviction to a fine not exceeding rupees fifty.

4. A table showing the articles on which octroi is leviable shall be open to the inspection of any person at the Municipal Office and copies thereof shall be supplied without any charge to any person requiring the same. Such table shall also be affixed in a conspicuous place at every post or office at which octroi is levied.

GRANT OF LICENCES FOR THE SALE OF CERTAIN ARTICLES.

5. The conditions on or subject to which licences for sale of articles liable to octroi may be granted shall be as follows :—

OCTROI LICENCE OF WHOLESALE DEALERS.

(1) That the licence shall be in force only till the 31st March 19....., and that it shall be shown to any Octroi officer when he shall lawfully call for the same.

(2) That due written notice of the despatch of all consignment of ..... to the licensee's address and probable date of arrival within Municipal limits be given to the Officer of the Town Bonded Warehouses, that these goods be brought within the Municipal limits between the hours of 6 A.M. and 6 P.M. and by way of the public high roads and cross roads described in the schedule or by railway, and that the parties in charge report themselves to the first Ookad reached within Municipal limits, a peon from which will accompany the consignment to the bonded warehouse and that the importers or persons in-charge of the consignment shall be bound to answer

(3) That all octroi articles attempted to be introduced within Municipal limits after 6 P.M. by any other than the public roads described in the said schedule or by the railway will be considered as contraband and treated accordingly.

(4) That the article subject to octroi duty mentioned above shall not be introduced into the premises of the licensee or place of business without payment of octroi thereon.

(5) That when by the licence the licensee is authorised to vend (goods to be specified by the Municipality) in any form, an account in the accompanying form shall be kept by the licensee of all stock of (goods to be specified by the Municipality) imported and disposed of either by sale within the Town or exported beyond the Municipal limits and that such account shall be open to the inspection of any Octroi Officer above the grade of a peon and shall be submitted to the Officer-in-charge of the Bonded Warehouse on the 15th of every month for verification.

(6) That no dutiable articles intended for consumption in the Town of Heggaddevankote shall, under any circumstances, be allowed to be deposited by the licensee in any of the villages immediately beyond Municipal limits.

(7) That the licence shall not be transferable by sale, gift, mortgage or otherwise, and that no persons except such as are named herein shall have power to act under it.

(8) That the licensee shall deposit Rs. 100 as security for the due observance of the conditions of the licence, the whole or part of it being forfeited as the President may direct for breach of any of the conditions of the licence.

OCTROI LICENCE BY RETAIL DEALERS.

6. (1) That the premises of the licensee may be inspected by any Octroi Officer at any time in the manner prescribed by the Bye-laws.

(2) That in respect of all ..... in the said premises whether purchased or sold by the licensee the octroi duty shall have been paid and the .... shall have been purchased at the Bonded Warehouse or from a duly licensed wholesale dealer.

(3) That no ..... shall be stored or sold in any other place than licensed premises and any ..... found in an unlicensed premises is liable to be contraband and dealt with accordingly.

(4) That the licence shall be in force only for 12 months, namely, from 1st April 19.. ... to 31st March 19..... and that it shall be exhibited to any Octroi Officer when he shall lawfully call for the same.

(5) That the licence shall not be transferred by sale, gift, mortgage or otherwise and that no persons except such as are named in the licence shall have the power to act under it.

(6) The licensee shall, within fifteen days from the date of issue of the licence, have a sign board put up in a conspicuous part of the premises occupied by him with the following inscription legibly painted thereon in Kannada and English :—

Number of licence.....

Name.....

Licence to sell.....

(7) That the licensee shall deposit Rs. 10 as security for the due observance of the conditions of the licence, the whole or part of it being forfeited as the President may direct for the breach of any of the conditions of the licence.

(8) That the licence shall be liable to suspension or forfeiture for breach of any of the conditions of the Octroi Bye-laws.

REFUNDS.

7. On all articles on which octroi duty has been paid and which are subsequently exported by the original importer himself beyond the Municipal limits without breaking bulk refunds, shall, subject to the following rules, be granted at the rates originally charged at the time of import :—

(i) On timber imported and re-exported in log within six months from the date on which octroi was levied ;

(ii) On piece-goods within three months from the date on which octroi was levied ;

(iii) All other articles within one month from the date on which octroi was levied :

Provided that no refund shall be granted of any sum less than one rupee.

8. Any person claiming refund under the above bye-laws shall produce the goods to be exported at the Central Octroi Office together with the original receipt for octroi duty paid thereon and an application for refund prepared in triplicate in the form annexed to these bye-laws. He shall fill up columns 1 to 10 of the application signing and dating the same, before he presents at the Octroi Office, he shall also produce for record in the office a certified copy of the invoice as per which duty was paid on the article at the time of its import.

9. Any person who has been exempted under Rule 6 of the Octroi Rules from production of goods at the Octroi Office on import shall, subject to the same conditions, be exempted from the production of goods to be exported.

10. The officer in charge of the Octroi Office on being satisfied as to the identity of the goods produced with those for which receipt has been granted or the validity of the claim, shall fill up columns 11 to 15 and the coupon and hand over the form to the exporter along with a certificate in the Form annexed.

11. All goods exported under such pass and also all goods exported under free export pass under Rule No. 13 of the Octroi Rules shall be produced by the exporter at the octroi post of exit.

12. The octroi subordinate in charge of the post of exit shall satisfy himself that the goods produced as being covered by the pass correspond with the entries in the pass presented with them.

13. If the goods are being exported otherwise than by rail and if the consignment appears to be duly covered by the pass, he shall retain the coupon after due endorsement of the particulars specified on the reverse of the form. Otherwise he shall retain the pass and shall report the circumstances forthwith for the orders of his immediate superior. If the goods are under a free export pass, and do not appear to agree with the particulars given therein, they shall be detained until the orders of his superior, are received.

14. If the goods are for export by rail, the octroi subordinate in charge of the station of exit shall retain the pass pending production of a railway receipt for the goods covered by the pass. Upon production of the railway receipt, if after the due enquiry the said octroi subordinate is satisfied that the goods produced are covered by the pass and also by the railway receipt in question, he will then endorse on the reverse of the form and also on the coupon the number and date of the railway receipt and will return the form retaining the coupon subject to the disposal in the prescribed course of business.

15. In all cases in which refunds are claimed the triplicate pass duly endorsed, as provided by bye-laws 13 and 14 respectively must be produced at the Central Octroi Office by the person keeping the refund and if after due check the officer in charge is satisfied that a refund of octroi covered by such passes is duly payable, he shall forthwith pay the same to the person presenting the triplicate pass.

16. Every importer of dutiable articles, shall, if called upon by a requisition in writing signed by the President within three months of such import, account for the articles received by him by producing either a permit obtained in token of payment of octroi duty or any export pass in proof of having exported the whole or part of the articles so received or otherwise.

17. Any person importing or exporting dutiable articles who infringes the above bye-laws shall be liable to a fine not exceeding 50 rupees.

209

MUNICIPALITY OF .....

Form of application for refund of Octroi on goods exported from the Municipality.

To be filled up by the exporter										To be filled up by verifying officer					Coupon
Description of goods	Quantity, number and value	Name of exporter with address in full	Name of person presenting this application with address in full	Place to which goods are exported	Name of the consignee with address in full	Name of Ookad at which the goods are exported	Date and hour at which goods are to be exported	Means of conveyance	Particulars of packages, *e.g.*, number of bags, baskets, etc.	Deduction to be made from the quantity, number or value of goods.	Why deducted	Net quantity, value or number	Rate of Octroi	Amount of refund	Application No.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

I intend exporting the goods mentioned above from this Municipality. Please refund the duty thereon to..... who is my authorised agent.

.....

Signature of exporter or his authorised representative.

Endorsement by Verifying Officer.

I have, as far as possible, examined the goods mentioned in this application and made entries in columns 11 to 15. I have this day .... at .....A.M./P.M. satisfied myself that they agree with the details of the application.

.....

Signature of verifying Officer.

Endorsement by the Mutsaddi at the Ookad of export.

I certify that the goods numbering/weighing..... mentioned in this application passed out of the Municipal limits in my presence on.....at.....

.....

Signature of Mutsaddi at export Ookad.

(Counterfoil).

(Counterfoil.) Certified that the goods mentioned in this application have actually passed out of Municipal limits in my presence on .....at.....

.....

Signature of Mutsaddi at export Ookad.

Report of Refund Clerk.

Checked and agreed with the refund ledger the (Exporter has produced Railway Receipt No.....in proof of export).

.....

Signature of Refund Clerk.

Order of Disbursing Officer.

Pay ... Rs. a. p.

Date..... *Signature*.....

Payee's Acknowledgment.

I acknowledge receipt of the amount entered in the Payment Order, namely, ... Rs. a. p.

.....

Dated..... *Signature of Payee.*

Notification.

Model Rules fixing the functions of the President and Establishment, Heggaddevankote Municipality.

PRESIDENT.

In addition to powers that are or may be delegated to rules, the President shall exercise the powers conferred on the Municipal Council by the following sections of the Mysore Town Municipalities Act, 1951.

Sections 109, 174 and 180.

Subject matter.

Sections.

109 Buildings made of inflammable materials grant of permission for the erection of roofs and external walls of building made of inflammable materials and power to require the removal of roofs and walls made of inflammable material.

123 Taking action for the encroachment on the municipal drains.

174 Launching prosecutions for offending the provisions of the Act.

180 Adoption of alternative procedure by suit in lieu of any process of recovery of Municipal funds allowed under the Act.

2. The common seal of the Municipality shall be in the custody of the President and shall be affixed under his orders to all contracts and instruments of transfer of property executed on behalf of the Municipal Council in pursuance of a resolution passed at a general meeting.

3. Whenever any sum has to be drawn from the Municipal Fund deposited in the Government Treasury or with the Bank of Mysore, Ltd., such sum shall only be drawn by a cheque signed by the President.

The Vice-President may, however, be empowered to sign cheques in payment of bills passed by the President.

4. All correspondence on behalf of the Municipality shall be conducted by and in the name of the President.

5. When the President under Section 24 of the Act deputes the supervision of a Department of Municipal Administration to the Vice-President, it shall be presumed, in the absence of written instructions to the contrary, that all powers and duties of the President in respect of that department are delegated to the Vice-President :

Provided that nothing contained in this Rule shall be deemed to authorise the Vice-President—

(*a*) to suspend the execution of any resolution passed by a Managing Committee ;

(*b*) to revise any order passed by the Executive Officer ;

(*c*) to anticipate the decision of any Managing Committee ; and

(*d*) to exercise any powers beyond those specified in section 26 of the Act.

H. B. LINGANNAIAH,

OFFICE OF THE PRESIDENT, TOWN MUNICIPAL COUNCIL, KOPPA (CHIKMAGALUR).

Notification dated 23th August 1956.

Notice is hereby given to the inhabitants of Koppa Town under Section 62 of the Town Municipalities Act, 1951, that the Municipal Council, Koppa Town, has resolved in its Special Meeting held on 13th October 1955, to adopt and introduce the Bye-laws and Rules for regulating all matters and things connected with the supply and use of water and for the levy and recovery of water tax and rate in Koppa Town.

Any inhabitant of this Town, objecting to the said Bye-laws and Rules proposed to be introduced by the Municipal Council may within a month from the date of this notification send his objections in writing to the Municipal President, Koppa. Objections received after the due date will not he considered.

Detailed draft Bye-laws and Rules are appended hereto and the copy of the same is also published on the Notice Board of the Municipal Office, Koppa, for the information and the inspection of the public during office hours. Model Bye-laws for regulating all matters and things connected with the supply and use of water in the Town Municipalities issued by Government in Notification No. L. 1854—Mi. 109-53-2, dated 11th May 1953, and adopted by the Town Municipal Council, Koppa.

1. These Bye-laws shall be called Model Bye-laws for the supply of water in Town Municipalities.

2. *Definition.*—In these Bye-laws unless there is something repugnant in the subject or context.

(i) 'Department' shall mean the Water Supply Department under the Municipal Council.

(ii) 'Authorised Officer' shall mean the officer in charge of the water supply and works connected herewith or any other officer authorised by the Town Municipal Council.

(iii) 'Consumer' shall mean any corporate body, person or persons consuming water supplied by the Department and shall include the owner of such premises as are supplied with water by the Department.

(iv) 'Licensed plumber', hereinafter called 'plumber' shall mean any person engaged in pipe laying and fitting and licensed by the Department under the rules framed by it in this behalf.

(v) 'Premises' shall mean any house or building (inclusive of the grounds attached thereto) or its part or any tenement thereof in respect of which water is supplied or applied for.

(vi) 'The departmental stop cock or valve' shall mean the gland cock or valve fixed outside the premises and supplied by the owner but operated by the department.

(vii) 'Supply Pipe' shall mean that portion of the pipe line between the Departmental stop valve, nearst the main and the entrance to the premises.

(viii) 'Communication pipe' shall mean that portion of the pipe line between the main and the departmental stop valve.

(ix) 'Service Pipe' shall mean that portion of the pipe line laid within the premises.

(x) 'Storage Cistern' shall mean any cistern containing the departmentaly supplied water but shall not include a cistern for storing hot water or water for flushing or other sanitary needs.

(xi) Sources and means of water supply include any water supply installations and private wells which are used by the public.

(xii) The President, in his absence the Vice-President or any other Officer authorised by the Town Municipal Council, may exercise and perform the duties provided in these bye-laws.

3. The Water Supply Department shall be responsible for all works connected with the supply of water to the places within the Municipal area.

4. *Purposes of supply of water.*—The supply of water under the rules is intended ordinarily for *bona fide* domestic purposes and the water so supplied shall not be used for any other purpose without the previous permission in writing from the President or Vice-President of the Town Municipal Council.

A supply for '*bona fide* domestic purposes' shall mean a supply made to dwelling or residential quarters for drinking, cooking, bathing and such other domestic purposes, and shall not include a supply for horses or for washing carriages or a supply to any of the non-domestic concerns mentioned below :—

All institutions of an industrial, commercial or business nature and also coffee clubs, restaurants, tiffin rooms, hotels, theatres, clubs or recreation, dairy farms, motor garages, stables, etc., used for hire or business, nurseries, fruit or flower gardens and all premises where constructions or alterations of buildings are going on, and all premises which are taxed by the Municipality at rates other than those for dwelling houses shall be treated as 'non-domestic' for the purposes of these bye-laws.

5. No water cart or lorry shall take water from public fountains installed for *bona fide* domestic purposes. Water may be drawn for watering public roads, flushing drains and other Municipal purposes from duly metered public fountains and connections separately provided for the purpose, at the cost of the Municipal Council.

6. The President or Vice-President may, subject to the conditions to be determined by him in this behalf, supply water for other than domestic purposes.

7. *Installation and removal of public fountains.*—Public fountains shall ordinarily be located at distances of not less than 600 feet apart. The President may remove or close or shift the public fountains in consultation with the Municipal Council.

The President or the authorised Officer may close temporarily any public fountain found to be misused or contaminated.

8. *Erection of public fountain by private donors.*—Private individuals may be allowed to erect public street fountains for dedication to public use on the following conditions :—

(i) that their number is strictly restricted to *bona fide* public requirements of particular localities which shall be decided in consultation with the Municipal Council;

(ii) that they shall be subject to the same condition as are applicable to other Municipal Public Fountains;

(iii) that their maintenance and repair costs shall be borne by the Municipality in the absence of any specific donor;

(iv) that their free and unobstructed use by the public for domestic purposes be duly safeguarded and no special privilege be claimed by the donor; and

(v) that they are not placed close to any public fountain at a distance of less than 600 feet.

9. *Application for house connections.*—The owner or consumer shall make an application for water connection in the form prescribed by the Department to the authorised officer through a licensed plumber. The application shall be accompanied by a certificate of ownership of the house, the Municipal assessment receipt with details of the annual rental value, the Municipal Deposit receipt for the road cutting or repair charges, a detailed estimate of cost of connections, and sketches of the several houses in the compound and the details of lay-out of the pipe service, in relation not only to the departmental distribution lines running closeby, but also to the public and private drains, latrines, etc.

10. *Plumber's, register of house connections:*—The plumber shall maintain a register of such applications sanctioned and completed, and shall submit the same before the 5th of each month to the authorised officer.

11. *Plumber's, notice for getting connection:*—The plumber executing the work shall give at least two days' notice to the authorised officer for getting connections with the departmental distribution line.

12. *Service connection by whom given:*—The service connection shall be given by the authorised officer of his subordinate empowered by him in this behalf, in the presence of the plumber and the consumer or owner.

13. *Connection to mains:*—Such connection with the department public main shall be in accordance with the subsidiary rules issued from time to time by the department in this behalf.

14. The work shall not be commenced until after the departmental approval is communicated in writing to the

consumer or owner, through the concerned licensed plumber.

15. *Quality of pipes and fittings*:—No person shall for the purpose of conveying, delivering, receiving, or using the water supplied by the department, fix, fit or use any pipe, tap, valve, cock, cistern or any other water fittings or sanitary appliances which shall not be the quality and strength prescribed by the department. No consumer or owner shall be entitled for the supply of water, unless and until such pipes and fittings and laying and fixing thereof are approved by the authorised officer.

16. *Rates for materials and work*:—A schedule of rates chargeable for the materials and for the execution of work as in force at the time, shall be kept by the department for the information of the consumer or owners.

17. *Specifications prescribed*:—The department may, by subsidiary rules, prescribe the size, nature, materials, workmanship, strength and mode of arrangement connection, disconnection alteration and repair of pipes, meters. cock ferrules, valves, soil pans, water closets, baths, cisterns and other apparatus and forbid any arrangements and use of any water fittings which may allow or tend to allow any waste, undue consumption, misuse, erroneous measurement or contamination.

18. *Extension of connections*:—In case where the consumer or owner applies for extension of the existing connections, he shall not be required to alter or renew the fittings existing on the date of application unless in the opinion of the authorised officer, they are so defective or located in such a position as to cause or likely to cause obstruction to the water supplied by the department or result in waste, undue consumption, misuse or contamination of the water.

19. *Communication of pipes*:—No premises which has been separately assessed to Municipal tax shall except with the special permission in writing of the President be supplied with water by more than one communication pipe.

20. *Conditions for a Pipe Connection*.—Every separately assessed domestic premises shall be entitled to have its own separate connection pipe, subject, however to the capacity and the pressure of the distribution of sub-main nearest to the premises permitting the grant of such connections.

21. *Connection from nearest distribution line*.—The water connection shall as a general rule, be taken from the nearest distribution line feeding the locality wherein the premises is situated. Special connections from other sub-mains shall be subject to the express orders of the President.

22. The President or the authorised officer may, if at any time, he deems it necessary in the interest of the supply, to alter the position of an existing connection with any public main or of the communication pipes or fittings thereof, direct such alteration after giving not less than two days' notice in writing to the person concerned. The cost of all such alterations up to the departmental stop valve shall be borne by the Department.

23. Except under a written agreement with the department and subject to its conditions no consumer shall fix, fit or use on any premises, any self acting sanitary or other out-fit on the departmental water supply service line. Such a connection may not be granted by the department except when conditions of supply admit such extra consumption in the opinion of the Officer in charge of the water supply.

24. *Accessibility*.—Every pipe or fitting within a building shall as far as practicable, be so placed as to admit of easy access, examination, repair or renewal.

25. *Department's stop cock on supply line*.—Every connection shall have just outside the premises and in an easily accessible position, a valve or gland cock of the approved pattern with a minimum diameter of ½" and not more than the diameter of the supply pipe. This valve or cock shall be supplied by the consumer. Such valve or cock if below the ground level shall be suitably protected by a box in the approved pattern supplied to the consumer by the department at the consumer's cost.

Every such gland shall be provided with a detachable checknut union joint near to it for facility of connecting

In the case of existing services where original gland cocks are either far away from the premises or otherwise inaccessible, separate additional gland cocks and checknut joints shall be provided by the consumer when and where required by the authorised officer.

26. *Communication and other pipes to be laid through insanitary places*.—No communication or other pipe shall be laid so as to pass into or through any sewer, drain, latrine, manhole or ash pit or manure pit. Such pipe shall not be allowed to remain in contact with any foul smelling or injurious materials. In unavoidable cases adequate protection to the pipe shall invariably be provided by carrying it through an exterior cast iron tube or any other suitable manner approved by the authorised officer.

27. *Depth of Pipes Underground*.—Pipes laid in open ground shall be at least 1½ ft. below the ground level.

28. Pipes intended to carry water supplied by the department shall not be allowed to carry water supplied from any other source.

29. *Storage Cisterns*.—In every case where the water is to be supplied to a storage cistern a suitable control valve with an automatic arrangement for closing the inlet shall be provided. In addition to this, a Warning Pipe shall also be fitted near to the cistern in such a manner that overflowing water from the same can be easily noticed by the consumer or departmental staff.

NOTE :—A Warning Pipe is a Pipe fixed at the maximum water level of the cistern to indicate the overflow therefrom.

30. A storage cistern, reservoir or storage tank shall be provided with a dust and water-proof cover and a ventilator, and shall be so placed as to admit of ready inspection and repairs and cleaning and shall be free from contamination. The position of the Warning Pipe of the cistern shall not be altered except with the approval of the authorised officer.

31. A cistern buried or excavated in the ground shall be provided with a reflux valve to prevent the back flow of the water to the pipe line and shall be so constructed as to ensure the water tightness as well as the imperviousness of the cistern to outside contamination. The authorised officer may inspect and cut off the service to such a cistern whenever contamination or misuse or any defect in construction is noticed.

32. Unless otherwise specially authorised, no consumer shall be allowed to take water through any boiler water closet or sanitary appliances, except from a storage cistern of the approved specification.

33. *Removal or alteration or extension of Pipes*.—The owner or consumer shall before starting the removal or alteration or extension of any Pipe, give not less than 15 days' notice thereof to the authorised officer and deliver an application through a duly licensed plumber in the form prescribed by the Department.

34. *Only Licensed Plumbers to execute Works*.—All water connections or alterations or extensions or repairs to any water connection shall be done by departmental agency or by licensed plumbers.

35. *Meters*.—For every connection, there shall be provided at the cost of the Municipality or Government and maintained in due working order, a water meter for the accurate gauging of the water consumed provided that the authorised officer may dispense with such meters in the case of connections which, in the opinion of the Department, are not likely to consume more water than the free allowance to be granted thereto.

36. The Meter shall, wherever practicable, be placed inside the premises of the consumer, who shall be held responsible for any damage or tampering with the meter. He shall be liable to pay the cost of making good such damages and to the penalty hereinafter imposed under the Rules.

The President may subject to the approval of the Council assess the damage caused and recover the same in the manner prescribed for the recovery of other charges.

37. *Meter reading*.—The meter shall be read between the 8th and the end of the month, generally between the hours of 7-30 a.m. and 4-30 p.m. and recorded on meter cards hung up by the side of the electric meter cards or in any safe and prominent portion of the house. The

219

38. *Dispute about meter reading.*—Protests or disputes connected with the meter reading shall be lodged within fifteen days after the monthly readings are recorded on the Meter Card mounted in the premises. No complaints received after this period shall be entertained.

39. The Municipal Council reserves to itself the right to make its own tests, free of cost at any time after giving due notice of the same to the consumer.

40. If on examination, any meter is found to be out of order, the consumption during the period since the last reading till the meter is repaired or a new meter installed, shall be calculated at the average daily consumption of the last six months during which, in the opinion of the authorised officer, the meter was recording properly and the consumption of water was not for any reason abnormal.

41. *Free allowance of water.*—The free allowance of water consumed for domestic connection shall be regulated as follows:—

For every one rupee of the annual rental value of the premises, the authorised free allowance shall be 100 gallons per annum, but in no case, shall such free allowance be less than 3,000 gallons, or more than 10,000 gallons per month in the cases of houses containing flushing latrines, however an additional free allowance of 750 gallons per month shall be allowed in respect of each such latrine provided that the concession shall not apply to more than two such latrines in a single house or premises.

The same rates shall apply to Government buildings used for residential purpose.

But in the case of Government residential buildings like police lines, nurses quarters, etc., the free allowance fixed is without restriction of the maximum limit.

42. In case of new premises, free allowance shall be granted from the date of Municipal assessment has effect provided that the construction of work is over and the premises is used for *bona fide* domestic purposes. In the absence of the Municipal receipt for payment of assessment the minimum free allowance fixed under these bye-laws shall be allowed, provided that the construction work is over and the house or premises is occupied for domestic purposes. The correct free allowance shall be granted only on production of the said Municipal receipt. But in no case shall free allowance be granted for the period not covered by the Municipal assessment.

43. Applications for modifications in the quantity of free allowance allowed by the Department to any premises and noted on the bill sent every month shall be made within 15 days from the date of the bill. No complaints received after this period shall be entertained.

44. *Same premises with separate consumers.*—Whenever the Municipal Council assess a premises separately the Department may give a separate connection thereto. But where more than one building is existing on the same premises occupied by different consumers but under a single assessment no separate free allowance shall be given to each such undivided building.

45. *Several houses supplied by one Pipe.*—(*a*) In the case of blocks of houses situated in one and the same compound and separately assessed by the Municipality and having only one meter supply connection, where conditions do not admit of giving separate water supply connections on account of insufficiency of main, etc., the total rental value of the houses shall be taken into consideration for purpose of calculating free allowance, subject however, to the minimum of 3,000 gallons, and maximum of 10,000 gallons.

(*b*) In the case of a house the assessment of which has been split up by the Municipality, thereby entitling the owner to a separate water connection to each such sub-assessed house, it shall be incumbent on the owner to apply for separate water connection to such sub-assessed house, and where conditions do not permit of separate connections being given due to insufficiency of main, etc. the free allowance shall be calculated on the total rental value of each such sub-assessed house in the block.

46. In the case of premises used partly for domestic and partly for any of the non-domestic purposes, the President shall decide the portion of the premises eligible for free allowance and fix the quantity thereof. An appeal shall lie against the decision of the President to the Council whose decision shall be final.

47. Whenever a person ceased to occupy the premises supplied with water or to use the water, he shall send a written notice to the authorised officer. In case of his failure to do so, the department may proceed against the person or the owner to recover any charges that may become due including those for excess consumption or wastages occurring during the period of non-intimation to the authorised officer.

48. *Inspection of Premises.*—The authorised officer may enter any house, building or land to which water supplied to examine if there be any waste, or misuse of water or if there is dispute about the supply of water and for inspecting the water fitting, for conveying, receiving, storing and measuring water or for removing the instruments belonging to the department. But this power of entry shall be exercised only between the hours 7-30 A.M. and 5-30 P.M. and at other times of the day with previous intimation of not less than six hours to the consumer or owner, or in his absence to the members of his family.

49. *Report of wastage of water.*—In every case where water supplied to a premises is observed to go to waste by leakage of pipes, the consumer shall immediately telephone from the nearest Police Station or otherwise give immediate notice to the office of the authorised officer or to the water service stations of the water works so as to enable necessary action being taken temporarily to arrest the wastage with the help of the departmental staff. The subsequent repairs can be effected through the licensed plumber after duly intimating to the authorised officer, the details thereof.

50. The water supply cut off by the department shall not be restored as long as the wrongful act or omission for which the supply was cut of continues.

51. *Power to cut up municipal roads, drains and other structures.*—The President or the authorised officer may cut open any road for the purpose of laying new, or repairing the existing pipe lines, provided that previous notice of not less than three days is given to the Municipality except in very emergent circumstances. He shall be responsible for bringing the portion so cut up to the normal level and hardness. But the Municipal Council shall be responsible for reconditioning the road according to its original quality.

52. In the case of municipal drains, structures, and other property which may have to be removed, the President or the authorised Officer shall be responsible for their complete restoration.

53. Whenever more than half the road width has to be opened out or any serious and prolonged obstructions to traffic is likely to be caused, the President or the authorised Officer shall cause a week's notice to be given. This rule shall not apply to cause of emergency, occasioned by accidents, burst on pipe lines, fire or other causes, requiring immediate action on the part of the department.

54. The Executive Engineer or the authorised Officer shall have power to stop or reduce the supply in any public main or sub-main for repairs or renewals without any notice on emergent occasions. But in ordinary cases when the stoppage is over an extensive area or is due to exigencies which can be foreseen such previous notice as is possible under the circumstances, shall be given by beat of drum or other means.

55. *Breaking up of Municipal pavement, road or other property during pipe laying.*—In every case where the pavement, drain, road, manhole or other property is likely to be affected during the laying of the pipes for any premises, the consumer or on his behalf, the licensed plumber shall be responsible for giving sufficient notice thereof to the Municipal Council. He shall also subject to the same control, restrictions and obligations to the Municipal Council during the period of such work, as the department itself is including the liability for any penalties recoverable for delay, inconveniences and incomplete or unsatisfactory finishing of the works connected with the affected portions.

56. *Removal of pipe fitting by cosnumer or owner.*—Any consumer or owner may get his pipe removed provided he gives at least fifteen days notice through a licensed plumber to the President or the authorised officer. Every such consumer shall compensate the department for any injury or damage to the department at pipe lines.

57. *Use of water*.—The water supplied by the Department shall be used only for the specific purposes permitted.

Any fittings and breach pipes for non-domestic use on a domestic supply or *vice versa* or these which are out of use or otherwise defective, shall be removed and the connections properly sealed when required by the authorised officer. Should the consumer or the owner fail to comply with such requisition, the authorised officer may enter any house or premises and execute the required work and the expenses thereof shall be recovered from the consumer or the owner in the same manner as other charges are recoverable under the rules.

58. *Hose pipe connection prohibited*.—Hose pipes shall not be used from the connections metered or unmetered except with the permission of the department in writing and all water drawn through such pipes shall be separately charged for. Every such pipe shall have a gland cock at the delivery end.

59 All pipes, taps, fitting, etc., forming part of private connections of a consumer up to and inclusive of stop cock nearest the supply main, shall in the absence of any agreement to the contrary be the property of owner of the said premises.

60. In the case, however, of the communication pipe and the stop cock, the department shall have the liberty to operate them for purposes of management and control. The meters or other appliances for measuring or limiting the amount of water supplied which may be installed by the department within or outside the premises, shall be the property of the department.

61. Any public sub-main or distribution pipe line laid by a private donor as a contribution work shall be duly handed over to the department for operations and maintenance. The owner shall not have control over such lines.

62. *Applicability of rules to public institutions*.—The foregoing bye-laws and rules apply *mutatis mutandis* to all public institutions such as schools, colleges, hostels, hospitals, public offices, etc., the supply allowed in each case free of charge being determined by the department and any excess used over and above the free supply as measured by the meters being paid for the institutions concerned at the rate prescribed.

63. *Liability of the department for non-supply*.—Whether for domestic or for non-domestic purposes the department or the Municipal Council is not liable in the absence of contract to the contrary to any penalty or damages for non-supplying water, if such non-supply arises from accidents to pipe lines, bursts, shut-down of power and unusual drought or other unavoidable causes beyond its control.

Model Rules

1. These Rules shall be called the Model Rules for the supply of water in the Town Municipalities.

2. The owner or consumer shall deposit the authorised officer the cost of the attachment from the public main at the following rates:—

	Rs.
½ inch attachment or less	3
¾ ,, do	4
1 ,, do	5
1¼ inches do	6
1½ ,, do	7
1¾ ,, do	8
2 ,, do	9

(*b*) Charge for each connection bore Rs. 3 each with a uniform addition of Re. 1 for every increase in the size of the pipe by ½ inch up to a maximum of 3 inches.

3. Every application for a non-domestic water connection shall be accompanied by a deposit not less than Rs. 10, the actual amount being determined by the department in each case, in addition to the usual cost of attachment, road boxes, etc., to serve as an advance. This deposit shall be refunded to the depositor on demand after settling his accounts. Such deposits should be taken in the case of existing non-domestic connections also.

4. For every meter installed by the Municipality or Government to premises and kept in working condition, the following rates of meter rent shall be levied per month in addition to whatsoever charge may be due for the water consumed provided that for the period when the meter is out of order no such rent shall be charged.

	Rs.	a.	p.
½ inch, ¾ inch and 1 inch meter ...	0	4	0
1¼ inches meter ...	0	8	0
1½ ,, ,, ...	0	11	0
2 ,, ,, ...	1	12	0
2½ ,, ,, ...	2	5	0
3 ,, ,, ...	2	8	0

5. *Testing of Meter*.—Any person disputing the accuracy of the meter may apply to the authorised officer who shall, on payment of a fee of rupee one per test, direct the testing of meter. If on actual test the quantity be more than five per cent the testing fee shall be refunded and proportionate rebate shall be allowed for the month in question and the modified bill paid for as per rules. No rebate shall be allowed if the excess is five per cent and below, and the testing fee shall not also be refunded.

6. *Excess water charges*.—Any consumer who uses water in any month in excess of the free allowances shall pay for such excess at the rate of rupee one for every 1,000 gallons so consumed. Fractions of 1,000 gallons shall not be charged for, if it be 500 gallons or less but the excess over 500 gallons, if any, shall be charged for, if it were 1,000 gallons.

7. *Non-domestic purposes*.—(*a*) Non-domestic concerns shall not be entitled to free allowance of water. All the water supplied to such premises changed for as per the following schedule.—

Schedule.

	Per month. Rs.	a.	p.
(1) Tax for Hotels with boarding arrangements ½ inch connection.	6	0	0
(2) Tax for Hotels with boarding arrangements ¾ inch connection.	9	0	0
(3) Tax for Hotels, Coffee Bar without Boarding arrangement ½ inch connection.	4	0	0
(4) Tax for Hotels, Coffee Bar without Boarding arrangements ¾ inch connection.	6	0	0
(5) Tax for Aerated water shop connection ½ inch connection.	3	0	0
(6) Tax for all other non-domestic connection, *i.e.*, Motor garage, Work shops, Mills, etc. :—			
½ inch connection ...	9	0	0
¾ inch connection ...	12	0	0
(7) Tax for all other non-domestic connections *i.e.*, Motor garage, Work shops, Mills, etc., 1 inch connection.	15	0	0

(*b*) *Domestic*.—

(1) Tax for ½ inch connection ...	1	8	0
(2) Tax for ¾ ,, ,, ...	2	0	0
(3) Tax for 1 ,, ,, ...	3	0	0

The same rates shall apply to Government Industrial and Commercial Concerns also.

8. *Payment of water charges*.—The excess water charges, meter rent and other charges due under these rules shall be paid within 15 days from the date of the bill at the office of the authorised officer, on bills which shall be sent to the party within (5) five days from the date of meter reading.

If the bills are not received within five days from the date of reading the party may obtain duplicate bills from the supply office to enable him to make payment within the due date.

Non-receipt of bills shall not be accepted as an excuse for delay in payment. Payment should invariably be made in cash, money orders, or postal orders, but cheques for amount not less than rupee one drawn on local banks such as the Imperial Bank of India, the Mysore Bank, Co-operative Banks and Societies shall be accepted in payment of the due.

214

Disconnections and reconnections of service.—On failure of payment within the due date, the department reserves the right to cut off water supply to the premises and connections will be restored only on receipt of the amount along with a penalty of rupee one in such cases.

This penalty will not be charged if disconnection is made at the request of the consumer, subject to the condition that all the dues up to the date of disconnection are paid up on or before the due date.

Disconnection may not generally be made when the arrears due from any installation is less than rupee one, provided such arrears are paid up before the next quarterly bill is preferred.

As mistakes are likely to occur in crediting the receipt to the proper ledger account and having room for disconnection of service in such cases, notwithstanding such payment being made by the concerned parties, the consumers are advised to produce receipts for payments, or alternatively, postal money order receipts or counterfoils of cheques when asked for by the officials of the Department, who have been directed to effect disconnection of service, in cases of default in payment. No disconnection shall be made without first asking for the voucher in support of the payment made.

Cheques drawn on local banks, such as Imperial Bank of India, Mysore Bank, Co-operative Banks and Societies shall be accepted; but no cheques shall be accepted for sums less than Re. 1 which shall be paid only in cash.

9. Payment claimed by the departments even in some cases of dispute shall be made within the specified time, subject to the grant of refund later on after final decision by the department.

10 *Payment by consumer or owner.*—All money due for water consumed, meter rent or other charges under these rules shall be payable by the consumer or on his default by the owner.

11. *Intimation of change of ownership or tenancy.*—All changes of ownership or tenancy of a premises should be intimated forthwith to the authorised officer in writing, failing which the new consumer or owner shall be liable to be proceeded against recovery of all arrears connected with the supply of water, provided, however, that for any such sum recovered from the new tenant, he shall be entitled to credit in account with the owner of the premises.

12. Claims for water charges, etc., shall not become time barred merely by any delay on the part of the department, provided that the bills for the claims can be shown to have been sent by the authorised officer at least once immediately after the charges become due. Arrears of charges due, if found irrecoverable by the department, will be recovered in the same manner, as any other municipal dues under the Mysore Town Municipalities Act, 1951.

13. The President shall, when requested by the consumer in writing, furnish a memorandum showing the consumption and probable charges on account of water consumed, meter rent and other items, for any period subsequent to the preparation of the last bill in the office.

14. In cases of neglect or unwarranted delay to report wastage, under the above rule, the President or the authorised officer may cut off the water connection without notice and follow it up with an official notice to the consumer or the owner.

15. The connection shall not be restored until the defects of leakage, etc., are satisfactorily restored. A bill of cost for such immediate repairs executed by the departmental agency will be sent to the party who has to pay the same.

(*a*) In the case where wastage of water is due to leaky pipes, the party may be charged at the concessional rate of eight annas per 1,000 gallons for such loss, the quantity being calculated as the difference between the actual consumption and the average consumption of the previous six months or the free allowance, the premises are entitled to, whichever is greater.

16. *Power to cut of the connection.*—The President or authorised Officer shall have power to cut off the connection between the supply and communication pipes in any one of the following cases, provided that a reasonable written notice showing the specified cause or causes is given in advance such notice being posted on the houses or premises in case of consumer is not accessible.—

(*a*) In default of payment of excess water charges, meter rents or any other charges due under these rules which have been duly demanded previously through bills issued from the office of the authorised officer.

(*b*) If any consumer violates any of the conditions on which connection has been granted to the premises in question resulting in the misuses of such water.

(*c*) In case of leakage through pipes or other fittings or any defective or insanitary condition of the same.

(*d*) In case of the allowing wastage of water even after the issue of a warning in advance.

(*e*) In the case of broken pipes or fittings causing or likely to cause heavy loss of water or damage to property.

(*f*) In the case of refusal to allow the President or the authorised Officer to enter into any land or building for the purpose of inspecting or repairing or attending to any work connected with the water supply given to the premises.

(*g*) In case of any person wilfully or unauthorisedly permitting any other person to take a connection from his supply.

(*h*) In the case of contamination of water from storage cistern.

(*i*) In case the occupier of the premises does not give proper protection to meter readers from any injury being caused by animals, such as dogs, etc.

17. In the case of Government Buildings used for residential purposes, the excess water charges shall be recovered as under the rules applicable to the general rate-payers, from the occupier direct as a liablility against him. In the case of his default, the head of the department concerned, under whose charge the building is left, shall recover the arrears.

18 *Mosques, churches, temples and other religious institutions.*—In the case of mosques, churches, temples and other religious institutions recognised as such by the Municipal Council and used by the Public, water shall be supplied free of cost.

NOTE.—(1) Only three taps will be allowed for each institution. If more than three taps are required, the institution must pay the excess water consumed at the rates charged under the rules.

(2) The trustees of the institutions concerned should see that the repairs needed to the pipe line and the taps are attended to promptly and that water is not misused or wasted.

(3) The staff of the Water Supply Department shall inspect these institutions frequently and the defects, if any pointed out by them should be attended to speedily by the trustees of the institution concerned.

(4) Failure to attend to the defects pointed out will entail cutting off the water supply connection without further notice.

(5) The President shall obtain the approval of Government to the consolidated list of religious institutions as are now existing and which shall be governed by these rules and new ones added to the list with the approval of Government, as and when they come into existence.

(6) The above concession shall not, however apply to the residential and other buildings attached to the institutions concerned, which will be governed by the general rules applicable to private buildings.

(*b*) *Charitable Institutions.*

(1) *Chattrams.*—The free allowance admissible in each case will be fixed by the Government on the recommendation of the Municipal Council and the excess consumption charged for at a concessional rate of annas eight per thousand gallons. A consolidated list of existing chattrams in the town will be submitted to Government by the President.

(2) *Hospitals.*—The free allowance for each hospital shall be fixed on the merits of each case on the recomendation of the Municipal Council and the excess consumption charged for at a concessional rate of annas eight per thousand gallons.

NOTE.—Government however, reserve the right to enhance or reduce the free allowance in the case of these institutions according to the circumstance of each case.

215

(c) *Burial and Cremation Grounds.*

The water supplied to burial and cremation grounds will be entirely free of cost.

19. The free allowance of water in the case of Jails shall be as follows:—

(1) *Convicts.*—Six and a quarter gallons per head per day.

(2) Resident members on the jail establishment who have no separate water connection in their residential quarters twelve and half gallons per head per day.

20. *Jails.*—The Water Supply Department shall ascertain the strength of convicts and resident members of the jail establishment from time to time; usually once a quarter and fix the free allowance accordingly.

21. *Hostels.*—The free allowance of water in the case of hostels shall be 12½ gallons per boarder per day and the excess consumption charged for at a concessional rate of annas eight per thousand gallons in the Case of free hostels at rupee one per thousand gallons in the case of hostels having paying boarders. The department shall get the statistics every quarter before the 10th of the month following that quarter.

22. *Supply to Government Institutions.*—In the case of Government Public Buildings and Institutions in which Government Officers are held and which are not run on commerical or business or trade lines, the entire water consumed shall be charged for at eight annas per thousand gallons without any free allowance as the buildings are used solely for public purposes.

23. But when Government institutions are in default or when the claims are disputed by them, the water supply shall not be cut off immediately but two months time shall be given to refer the matter to the departmental head and obtain orders for recovery.

Should they continue to default thereafter, the matter may be referred to the Secretary to Government, Public Works Department and arrangements made for recovery through the Accountant General.

24. *Water Supply out of Municipal Limits.*—In cases in which water supply is made to houses, premises, industrial concerns, etc., outside the municipal limits of the town, these rules shall apply *mutatis mutandis* except where such supply is controlled by a separate agreement with the Municipal Council.

No houses, premises, industrial concerns, etc., outside municipal limits shall be eligible for any free allowance. All water supplied shall be charged for at a rate of Re. 1 per 1,000 gallons except where otherwise provided for under, a separate agreement with the Municipal Council.

All arrears of water charges, meter rent and other charges due to the department or council shall be recoverable from the consumer as arrears of Land Revenue.

H. G. GOVINDE GOWDA,
President.

OFFICE OF THE PRESIDENT, TOWN MUNICIPAL COUNCIL, GUBBI.

Notification dated 17th September 1956.

(Section: Clause (b) of Section 62 of the Town Municipalites Act, 1951.)

No. H. C. 23—56-57. In supersession of this Office Notification No. H.C. 121/52-53 dated 12th October 1955 and all other Notifications in this behalf, notice is hereby given to the inhabitants of the Municipality of Gubbi Town, that the Municipal Council have at their meeting held on 28th August 1956, resolved to adopt the Bye-laws framed under Section 48 (2) of the Town Municipalities Act. 1951, for the regulation of business at the Municipal Markets and to levy fees in Gubbi Town Municipality. The Bye-laws are in accordance with the Model Bye-lews framed by Government in Notification No.L.8660-Ml. 152-52-3 dated Ist September 1952. The existing Bye-laws for the regulation of business and to levy fees at the Municipal Market will be suspended from operation soon after the appended Bye-laws are given effect to.

2. The draft of the proposed Bye-laws appended to this notice will be taken into consideration after one month from the date of publication of this Notification in the *Mysore Gazette*, a copy of the same is also affixed on the Notice Board of the Office of the President, Town Municipal Council, Gubbi for information.

3. Any inhabitant of the Municipality objecting to the proposed tax may, within one month from the date of this notice send his objection in writing to the Municipal Council.

B. NIJAGUNAIAH,
President.

Bye-Laws adopted by the Gubbi Town Municipal Council, under Section 48 (2) of the Mysore Town Municipalities Act, 1951 (Mysore Act XXII of 1951), for the regulation of business at the Municipal Market and the Levy of fees in Gubbi Town Municipality based on the Model Bye-Laws framed by Government under Section 48 (1) read with Section 80 (3) of the Mysore Town Municipalities Act, 1951, and issued in Notification No. L. 8660—Ml. 152.52-3, dated Bangalore 1st September 1952.

Bye-laws for the regulation of business at Municipal Markets and the levy of fees in Gubbi Town Municipal Limits.—

1. (i) These bye-laws may be called the Town Municipal Market bye-laws.

(ii) In these bye-laws, 'Municipal Market' or 'Market' means the place set apart by the Municipality as a market and includes the place set apart by the Municipality for the weekly shandies.

2. (i) The Municipal Market shall not be open for use by the public before 6 A.M. and after 8 P.M. on any day.

(ii) No person shall sell meat or fish in any stalls except those specifically set apart for the purpose.

3. Every person opening a shop in the Municipal Market shall pay the fee in accordance with the rates specified in the schedule below to these bye-laws.

4. Every shop-keeper or other vendor shall remove his goods before or within fifteen minutes after the time of closing the market.

5. Every shop-keeper or other vendor shall maintain all scales, weights and measures used or to be used in the market in a clean and proper order.

6. No person shall encroach upon any area in the market not specifically allotted to him for his shop.

7. No person shall be entitled to make use of any one place in the Municipal Market permanently without the written permission of the President and the President may permit the use of any one place permanently by any person on payment by him of a fixed rent for a period of not less than three months.

8. Unclaimed articles found by any person within the limits of the Municipal Market shall be handed over to the custody of the police.

9. No person shall create a disturbance in the market by singing or by beating of *tom tom* or by the use of musical instruments or by quarrelling or by using abusive language.

10. No person shall enter or loiter in any Municipal Market for the purpose of begging.

11. No person shall bring a dog into the Municipal Market.

12. No person suffering from leprosy or other loathsome or contagious disease shall enter the market nor shall such a person trade in the market.

13. No person shall answer the calls of the nature or commit any other nuisance within the limits of any Municipal Market.

14. The Municipal or Police Officers on duty in the market may expel from the Municipal Market any person who is found drunk or begging or who is a lunatic or who contravenes Bye-Law No. 9.

15. No person shall trade in the market unless he is in possession of the receipt for having paid the rate of Market fees specified in the schedule to these bye-laws.

16. No person shall smoke or drink or do anything which causes intoxication and no person shall spit or

throw fruit peels or pieces of vegetables in the market except at the places specially set apart for those purposes.

17. Any person who infringes any of the above bye-laws shall be liable to a fine not exceeding ten rupees.

SCHEDULE.

		Rs.	a.	p.
1	Shops ...	0	2	0
2	Carts laden ...	0	2	0
3	Carts empty ...	0	1	0
4	Piece goods each shop ...	0	1	0
5	Bull, bullock, horse, ass, mule, laden or unladen.	0	1	0
6	Sheep and goat each ...	0	0	3
7	Cock or hen each ...	0	0	3
8	Fish shop each ...	0	0	6
9	Mutton shop each ...	0	4	0
10	Head load each ...	0	0	3
11	Cocoanuts, plantains each shop ...	0	1	0
12	Flowers shop each ...	0	0	3
13	Jaggery each basket ...	0	0	3
14	Other fruit baskets each ...	0	0	3
15	Other business in the basket each ...	0	0	3
16	One bundle hay ...	0	0	3
17	Green grass one head load ...	0	0	3
18	Baskets with oil pits each ...	0	0	6
19	Other shops each ...	0	0	3

Notification, dated 17th September 1956.

(Section: Clause (b) of Section (62) of Town Municipalities Act 1951).

No. H. C. 24—56-57. In supersession of this office Notification No. H. C. 78-52-53 dated 20th October 1955 and all other Notifications in this behalf, notice is hereby given to the inhabitants of the Municipality of Gubbi Town, that the Municipal Council, have at their Meeting held on 28th August 1956, resolved to adopt the Bye-laws framed under Section 48 (2) of the Town Municipalities Act, 1951, for the numbering and registration of vehicles and Rules framed under Section 46 (2) of the Town Municipalities Act, 1951 for the levy of tax under Section 61 (*b*) (*ii*) of the Act, on Vehicles and animals used for riding, burden or draught and kept for use in Gubbi Town Municipality respectively.

The Bye-laws and Rules are in accordance with the Model Bye-laws and Rules framed by Government in Notification No. L. 13292—Ml. 82-51-18 dated 19th February 1952 and No. L. 303—Ml. 109-53-1 dated 14th April 1953, respectively.

2. The draft of the proposed Bye-laws and Rules appended to this notice will be taken into consideration after one month from the date of publication of this Notification in the *Mysore Gazette*, a copy of the same is also affixed on the Notice Board of the Office of the President, Town Municipal Council, Gubbi, for information.

3. Any inhabitant of the Municipality objecting to the proposed tax, may within one month from the date of this notice, send his objection in writing to the Municipal Council.

B. NIJAGUNAIAH,
President.

Bye-laws adopted by the Gubbi Town Municipal Council under Section 48 (2) of the Mysore Town Municipalities Act, 1951 (Mysore Act XXII of 1951) for the numbering and registration of vehicles liable to taxation in Gubbi Town Municipality in accordance with the Model Bye-Laws made by Government under Section 48 (1) (j) read with Section 66 of the Municipal Act and notified in No. L. 13292—Ml. 82-51-18, dated 19th February 1952.

BYE-LAWS FOR THE NUMBERING AND REGISTRATION OF VEHICLES IN GUBBI TOWN MUNICIPALITY.

1. Any person who is the owner of a carriage, bicycle or tricycle liable to taxation in the Municipality shall register such carriage, bicycle or tricycle at the Municipal Office within thirty days of these bye-laws coming into force, or within thirty days of his newly coming into possession of such carriage, bicycle or tricycle. He shall also, when he continues to be in possession of such carriage, bicycle or tricycle renew the registration at the said office for a year within thirty days from 1st April each year.

Explanation No. 1.—'Owner' in these bye-laws includes the person in charge or possession for the time being of the carriage, bicycle or tricycle.

Explanation No. 2:—'Carriage' means any wheeled vehicle drawn by a horse, bullock or other animal or pushed or pulled by a man, but does not include tricycles constructed for use by children below the age of twelve years and perambulators.

2. The above registration shall be made on payment of the yearly tax on such carriage, bicycle or tricycle as prescribed under the rules in force in the Municipality, and defined in the schedule hereunder.

3. A disc bearing the register number shall be issued free of cost, to each carriage, bicycle or tricycle thus registered. In the event of the disc being lost a duplicate will be issued on payment of a fee of annas eight. In the case of carriages, the numbers will be painted prominently thereon.

4. No carriage, bicycle or tricycle thus registered shall be used without its number disc being conspicuously attached to it or the number being prominently painted thereon.

5. Any person who contravenes any of the foregoing bye-laws shall, on conviction before a Magistrate, be punishible with a fine which may extend to rupees fifty.

SCHEDULE.

Sl. No.	Kind of Vehicle liable for taxation	Annual tax Rs.	a.	p.
1.	For every carriage without Springs ...	3	8	0
2.	For every bicycle	2	8	0

Rules for the levy of tax under Section 61 (*b*) (*ii*) of the Act on vehicles used for riding, burden or draught and kept for use within the Gubbi Town Municipality.

1. A tax at the rate specified in the following schedule shall be payable by the owners in respect of vehicles of the description mentioned in the said schedule which are used for riding, burden, or draught and kept for use within the Gubbi Town Municipality.

SCHEDULE.	Tax. Rs.	a.	p.
(1) For every vehicle without springs ...	3	8	0
(2) For every Bicycle	2	8	0

2. *Exemptions.*—In the following classes of vehicles no tax shall be levied.—

(1) Bicycles owned by Officials of the Municipality.

(2) Bicycles owned by Officials of Police Department.

3. *Refund of tax.*—Where the tax due in respect of any vehicle has been paid for any year, the owner or the person in charge thereof shall be entitled to a refund of the sum paid.

(*a*) If he has owned or been in charge of the vehicle for not more than 30 days in the year.

(*b*) If the vehicle has been under repairs or standing at a carriage maker's or Cycle-dealer's shop during the whole of the year;

(*c*) If the vehicle certified by the President or any person authorised by him to have been unfit for use, has not been used during the whole period, provided that due notice in writing shall have been given to the Municipality of the vehicle having been disposed of or having ceased to be used.

4. *Method of calculating liability to tax.*—When a person owned or had charge of two or more vehicles of the same description each at different periods in one year he shall be deemed to have owned and had charge of one vehicle only as the case may be for the aggregate number of days in the said two or more periods.

5. *Vehicles changing hands*:—If a year's tax as been levied in respect of a vehicle, no further tax for the same year shall be leviable in respect of the said vehicle if it changes hands during the currency of the said year.